AN ESSAY CONCERNING OBEDIENCE TO THE Supreme Powers,

AND THE

Duty of Subjects in all Revolutions.

WITH

Some CONSIDERATIONS touching the Present Juncture of Affairs.

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AN ESSAY CONCERNING Obedience to the Supreme Powers, &c.

The INTRODUCTION.

THE Design of these Sheets (which one would think should be no difficult Task), is to persuade People to act for the Good and Prosperity of the Community they are Members of, and in which their own is included; and to convince them, That it is their Duty as well as Interest, to bear True Faith and Allegiance to the present Government. Which Design, that I may the better perform, it will be necessary to premise somewhat about Government in general, and the Grounds and Measures of Obedience to it; by which I hope I shall be able to shew, What is the Duty of Subjects, not only in the present Juncture of Affairs, but in all Changes and Revolutions.

CHAP. I.

Of Government, and the Origine of it.

GOvernment is, as it is usually defined, *The Care of other Peoples Safety*; which consists in Protecting and securing them from being destroyed or op-

oppreſſed by one another, as well as by Strangers; and redreſſing the Grievances of thoſe that are injured, and preventing the like for the future, by puniſhing Offenders. In order to which, the Governor muſt have a Right to command the Natural Force of thoſe that expect his Protection, to enable him the better to put his Laws and Decrees in execution. Tho without Power Government cannot conſiſt, yet Power and Government are not one and the ſame thing; a man may be in the Power of another, and yet may not be governed by him; it is neceſſary that this Power be made uſe of for Protection, without which it is impoſſible to be protected; ſo that Protection and Government are the ſame thing; for where people are not protected, they are ſtill in the ſtate of Nature, and without Government.

It is Government alone that gives the Form, Life, and Unity to a Civil Society, or Body Politick, by which the ſeveral Members have their mutual Influence, Sympathy, and Connection; ſo that to be a Member of a Civil Society, and to be under Government, is the ſame thing; and to be without Government, and to be in the ſtate of Nature, are reciprocal, and predicated of one another. None can pretend to be or claim any Civil Rights as a Member of a Society, without owning the actual Government that makes it a Society; and they that diſown the Government of the Society they live in, do outlaw themſelves, and virtually declare themſelves no Members of it; becauſe they have reduced themſelves to a ſtate of Nature, by diſowning there is amongſt them a common Judge, who has a Right to decide their Controverſies, and redreſs their Injuries, and in whoſe Determinations they are obliged to acquieſce.

God, who is the Author of every good thing, may be ſaid in a more ſpecial manner to be ſo of Government, becauſe it is abſolutely neceſſary to the Well-being of Mankind;

kind; and He, by the Law of Nature, which obliges mankind to act for their good, has inſtituted it, and has ſince by his Poſitive Law ratified and confirmed it; yet He did not conſtitute any particular Form of Government, but left mankind at liberty to diſpoſe of themſelves, as they (when they inſtituted Societies) thought fit. God was ſo far from taking this Liberty from any Nation, that when he was pleaſed to take upon himſelf the Office of King over his own People the *Jews*, he firſt required their Conſent; and a Contract between God and the People (as is plain by the 19*th*. of *Exodus*) was the Foundation of the Theocracy. And ſince it is not by God's Poſitive Law, That one Form of Government, rather than another, is any where eſtabliſhed, there can remain no other way by which any Government can be erected, or that one man can have a Right to command over others, but by the Law of Nature, or by the Conſent of the Parties concerned: But there is no Law of Nature for any one Form of Government, ſo as to make the reſt unlawful; or that one perſon, rather than another, ſhould have the Sovereign Adminiſtration of Affairs: Nor can there be any one Law of Nature urged, why any particular perſon ſhould have a Power over ſo many Millions of different Families, with no manner of relation and dependance one upon another, and who are by Nature equal, being of the ſame rank, promiſcuouſly born to the ſame Advantages of Nature, and to the uſe of the ſame common Faculties: And therefore it remains, That Government muſt be derived from Conſent.

Object. *Men are not by Nature free; becauſe they are born ſubject to their Parents, (who by the Law of Nature have an Abſolute Power over them): Therefore they could not chuſe Governors for themſelves.*

Anſw. The Power that Parents have over their Children, does not extend to their Lives or Properties, or hinder them from being free, tho they are born in a condition which

makes them for ſome time incapable to exerciſe their freedom. It is the duty of thoſe by whoſe means they come into the world, to take care and provide for them until they are able to provide for themſelves; which Duty Parents cannot effectually diſcharge, except they have a Power to correct and manage them as they think fit.

Children are obliged to take the ſame care for their Parents, if they chance by loſing their Reaſon to fall into the ſame helpleſs Condition; which they cannot perform, except they have alſo in their turn, a Power to govern them too, and even to uſe Forcible means, when they think it neceſſary.

Whoever has the Charge of educating a Child, whether he be his Father or a Stranger, muſt have the ſame Power over him; and this a Child, tho an Abſolute King, muſt be forced to ſubmit to. The information of his mind, the health of his body, and even the neceſſaries of life, make it abſolutely neceſſary: And if this be not inconſiſtent with Sovereign Power, much leſs is it with Freedom. A man may be ſaid to be by Nature Free, as well as Rational, tho he be not capable of exerciſing both, until ſuch an Age; and the ſame Age that ſets him free from the Power of a Tutor, ſets him free from the Power of his Parents, tho nothing can let him free from that Reverence (which is not inconſiſtent with the ſtate of Freedom) which he muſt for ever owe them.

But that Filial Reverence does not give his Father or Mother (to whom by the Law of God and Nature he is obliged to pay equal Honour and Reverence) a Power over his Life and Properties, or any Juriſdiction over him; (Whilſt he is part of the Family, it is true he muſt be ſubject in matters that concern the Family, becauſe there can be but one Maſter in a Family). If Parents had an Abſolute Regal Power, all Civil Government would be unlawful, becauſe it would deprive all Fathers of that Paternal Re-

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gal Power, which by the Law of Nature (which is superior to all Human Laws) does (upon their having Children) become their Right, and which the Government could no more justly deprive them of, than of that Duty and Honour which Children by the same Law of Nature are obliged to pay them; and which too, if Government were nothing but Paternal Power, must belong to it. But if this Notion were true, this would not give Governors a Power over Parents themselves, or over those who have no Parents in being, because Paternal Power can affect none but Children: And the Supreme Magistrate, who does not beget his Subjects, can have no Natural nor any other Right to it, but as it is conveyed to him by Consent; except the First-born from *Adam* (which the Asserters of Paternal Power do affirm) hath an Universal Hereditary Right, (the Absurdity of which Opinion has sufficiently been exposed by a late most Ingenious Author); supposing which to be true, it is plain that no other can have the same Right; so that until that mighty Monarch prove his Claim, all the Civil Power that is now in the world, must come by Consent; and there is nothing but that, can give another a greater Power than Parents pretend to over their Children; and which Children are obliged to obey, even contrary to their Parents Commands; and which gives them a Power of Life and Death over their Parents, as it frequently happens in Elective Governments; which Governments it is visible have their Power from the People; and this way too at first must come the Power in all Hereditary Governments; for the first of a Family could not have an Hereditary Right.

Object. *The Power of Government could not arise from the People, because they have no Power over their own Lives; and therefore could not give that to another which they had not themselves.*

Answ.

to

Answ. It is true, men having no power over their own Lives, could not part with a Power they had not; yet Governors will have all the Power which is necessary for the Ends of Government, by the Peoples giving them that Power which by the Law of Nature they had over the lives of one another; for by that Law every one had a Right to take away the life of another, if he could not otherwise secure his own, or what was in order to the supporting it; and might do the same in defence of any innocent person, and could punish any one for injuring him or his neighbours, because by it he acted for his own and their security: And if Punishment ought then to be inflicted, some one must have a Right to inflict it; and if any one had a Right, all being by Nature equal, every one must have the same Right; the exercise of which Right men have parted with to their Governors; so that they alone have now the only Right to punish with loss of life, or any less Punishment, in all cases, except in those where upon the suddenness of the danger, Protection cannot be had from them, or where they wholly neglect, or are incapable to protect them: There mens Natural Liberties still remain, and they may in Defence of their own Lives, or what is necessary to support them, justly take away the lives of the Aggressors. And any Law which should take this Power from the people, would be null and void, because the people never did or could give the Magistrate such a Power as should hinder them from acting for their own Preservation, when necessity required it.

The Magistrate having then his Power from the People, it is very certain he can have no more Power than they were capable of giving him, or did give him; who, because people (who had no Arbitrary Power over the Lives of one another) were not capable of giving it him, can have no right to take away the life of any person, except it be for the Publick Good. Nor can men, though at the Command

of

of the Magistrate, without being guilty of Murther, deprive any of their lives, when the good of the Society does no way require it. Nay, by the mutual Assistance, which by the Law of Nature Mankind owe one another, they might, if he should endeavour to destroy any, when it is evident it is no way beneficial to the Publick, justly Oppose the Magistrate, if Opposing him would not be a greater Damage to the Publick. As men could not give the Magistrate a greater Power than they had over the lives of one another; so the Power they gave him was not only for the defence and safety of their Lives, but to secure them in the enjoyment of their Properties, and to judge concerning them by known and impartial Laws. Men having no Power to destroy what was beneficial to others, could not give him a right to Waste, or Impoverish, (which is the necessary effect of Arbitrary Government, where the Uncertainty of the Enjoyment destroyeth all Labour and Industry) what God has ordained for the Necessaries, or Conveniences of Life. They that Assert the Magistrate has more Power than the People could or did give him, must prove he has it from God, who alone could give it him; but God, except to the *Jews*, gave no other Law about Government, or any other matter, but those of Nature. And Christ, whose Kingdom is not of this World, did not give more, or take away any Power from the Magistrate: So that what ever Power was given him by Man, he still enjoys the same without any addition or diminution.

CHAP.

to

CHAP. II.

Of Passive Obedience.

THerefore it is very evident, That whatever Rights or Liberties men did not part with to their Governors, those they have still retained in themselves; and no person can have a right to their Obedience in those things wherein they have given him no right to command; nor are they (which otherwise would be the consequence) obliged to pay him more obedience than they owe him, but may defend their Rights against any that has no right to take them away.

In the most Absolute Hereditary Government, if the Governor should endeavour to alienate it, or any of the essential parts of it to a Stranger, he may be justly opposed, because the People have not given him such a right, nor is a right to dispose of a Government, necessary to his governing them; but such an endeavour shall be interpreted so far good (because Acts are not so to be interpreted as to be of no effect) as is in his power to make it good; *it shall be esteemed a good Resignation.*

By the same, if not greater Reason, the King in a mixt Government may be opposed, if he should endeavour to alienate any of the parts of the Government, which are by the *Legislative Power* annexed to the Crown, as in *England* the Supremacy in Ecclesiastical Matters is; There the People may oppose the King, if he should attempt to separate the Supremacy from the Crown, especially if he should endeavour to make the Pope Supreme; because, if they did not oppose him in that Attempt, they must either be *guilty* of *High Treason*, in owning the Pope's Supremacy,

or

or be deſtroyed when the Pope's Supremacy is eſtabliſhed, for *refuſing* to be guilty of *High Treaſon*; it being Treaſon by the Laws to own his Supremacy. Whoever owns the Pope's Supremacy, is incapable of being himſelf Supreme in Eccleſiaſticals; and he that cannot be Supreme in Eccleſiaſticals, cannot be Supreme in Civils, becauſe being united by the Legiſlative, they cannot be enjoyed apart.

In a mixt Government, where the *Legiſlative Power* of King, Lords and Commons (which is the only Supream Power, becauſe it gives Laws to all) is divided, part in the King, and part in the People; if either part invadeth the other's Right, the *uſurping part* may be juſtly oppoſed, becauſe it invadeth what is the *Sovereign Right* of another.

None can have a ſhare in the Legiſlative Power, but who muſt have a right to defend that Power; becauſe any other than a *Sovereign Right* to the *Legiſlative*, to which all are Subject, would be nonſenſe; and whoever has the *Executive* Power, if he had not a ſhare in the *Legiſlative*, would be ſubject to it. And he that is intruſted with the Execution of the Laws, can have no more Power than the Legiſlative has given him; and where the People have a ſhare in the Legiſlative, *they have the ſame Right to their Privileges, (viz.) the Laws of the Land, as the King has to his Prerogatives*; becauſe the Conſent of both is equally neceſſary to the altering the Laws, as it was to the making of them.

In a mixt Government, a King, beyond the Limits of his Kingly Power, is ſo far from having a Right to Obedience, either Active or Paſſive, that by *aſſuming ſuch an Unlimited Power, he loſes all his Legal Power, which conſiſts in Governing according to the Laws enacted by the Legiſlative*; and by it abdicates the Government; for he that ceaſes to govern according to thoſe Laws, by governing Arbitrarily and contrary to Law, ceaſes as much to govern in the eye and intent of the Law, as he that ceaſes to govern at all; and

by governing Arbitrarily (the Conſtitution admitting of no ſuch Governor) deſtroys the very Eſſence of his Kingly Power, and renounces (the only Right he has) his Legal Right. For no perſon can have at the ſame time a Will to rule according to Law, and a Will to rule contrary to Law; and he that wills the latter, cannot will the former, and ſo willingly renounces his Legal Government; and by making his Will the Law, he aſſumes the whole Legiſlative Power to himſelf, which wholly deſtroys the former Government; for *a new Legiſlative is a new Form of Government*; and if the whole be deſtroyed, the ſhare the King has in it muſt be ſo too, except a part can ſubſiſt, when the whole, by which and in which he enjoyed his part, is diſſolved.

Whereever people have eſtabliſhed a mixt Government, they are preſumed to grant all that is neceſſary to maintain that Government; which could not be, if one part had not a Right to hinder the Encroachment of the other.

It is Nonſence to brag of the Happineſs which people enjoy in living under a Limited Monarchy, if it had no other Limits than the Will and Pleaſure of the King; becauſe then he would be as Abſolute as the *French* King or Grand-Siegneur, and his Subjects would be as mere ſlaves as the vileſt of theirs, ſince they would hold their Lives and Properties by no other Tenure, than the Pleaſure of the King who is abſolute.

But it may be asked, *Who ſhall judge between them, if either ſhould uſurp the Right that belongs to the other?*

I anſwer, None can judge as a ſuperior in whoſe ſentence both ſides muſt acquieſce, becauſe that would ſuppoſe ſome one ſuperior to the Supreme Legiſlative Power: Or if the Judges of the Land ſhould have an Abſolute Power to determine in theſe matters, and people ſhould be obliged to ſubmit to whatever they decree, they could make either Party the Supreme Legiſlative Power, or themſelves, by declaring themſelves to be ſo.

None

None, as a Superior, can call him to an account who has a share in the Legislative; but he may be resisted as well as any other, that should invade the Sovereign Rights of others, with which he has nothing to do.

Where people have not parted with their Rights, it must be presumed they have retained a Power to judge whether those Rights are invaded, or else the design of preserving those Rights would be to no purpose.

But it may be objected, Tho it be no Treason, or any manner of Injury, or Injustice, for People to defend their Rights against a King that has no Right to take them away, yet for their own sakes people are obliged to submit to his Arbitrary Government, because opposing him might create a War more destructive than all the effects of his Arbitrary Power. But what King would resign his Government, rather than oppose a Rebel? And if a single person thinks he is not obliged to part with his Civil Right, how can he expect, that Millions (were it possible it could be for their common good) should part with theirs? Since too, every one of them has the same Right to their Privileges (the Laws of the Land) as he has to his Crown, why should they be more obliged to suffer their own rather than a Foreign Prince to destroy their Rights? Since the attempt is a greater Crime in him, because he breaks his Oath, and the Trust that is reposed in him, and is guilty of the highest Ingratitude to the People who have given him so much Power.

By the same Argument, good men ought not to resist Robbers and Pirates: And if a man should be obliged to quit all for fear of bloodshed, how bravely would the good of mankind be promoted, and what a blessed Peace would the world enjoy? which would consist in Violence and Rapine, and which would only be maintained for the interest of Robbers and Oppressors.

Whoever does but consider the Poverty, the Misery, the Hardship people undergo in Absolute Monarchies, where the generality not only want Conveniences, but even the Necessaries of Life, and how by Tyranical Government the Richest and most Flourishing Countries (as for instance, those under the *Turkish* Empire) are depopulated and almost turned to desarts, so that the Inhabitants are thin and few, as well as wretched and barbarous; and whoever compares them with those that live under Mixt Governments, where the Inhabitants are generally above twenty to one to what the others are, abounding with all manner of Conveniences and Pleasures of life; or does but consider the happy condition that *Greece* and a great number of other places enjoyed when they were Free States; and what they now suffer; or has but read Bp. *Burnet's* Remarks on *Italy*, *Rome*, and *Switzerland*, must be convinced, That it is not the Interest of a Nation to let their King be Arbitrary; and that they cannot pay too dear for preserving their Liberties. In making themselves Absolute, Kings act against their own Safety, as well as the Good of the People, because a Mixt Government is not only best for the Subjects, but for the Security of Kings, They being oftner Deposed and Murthered (as all the Histories of the World do testify) in Absolute than in Limited Monarchies.

Can any one think, that the United Provinces (in spite of the long War they had to maintain their Privileges) are not as Populous, Rich, and Potent, and upon all accounts in as flourishing a condition, as they would have been, had they been possessed with the Doctrine of Passive Obedience, and tamely submitted to the Encroachments and Arbitrary Power of *Spain*?

Had the Doctrine of Passive-Obedience been all along practised, Mankind would have been in a more slavish condition than any now are, that live under the most Tyranical

ranical Governments; it is the fear that people may by ill usage be provoked to violate this Doctrine, that keeps the greatest Tyrants within some bounds, and makes them govern more mildly and moderately than otherwise they would. It is, I think, no great Argument of the Goodness of an Opinion, when the not observing it, or even the very probability of breaking it, has preserved mankind in a much better condition than they would have been, had the Supreme Powers been certain, that that Doctrine would have been inviolably observed.

The *English*, who are the freest Nation in the world, cannot consider the Happiness they enjoy, in comparison of those that live under Absolute Monarchies, without having a just Veneration for their Noble Ancestors, who have (tho not without the expence of their best blood) secured to them those Liberties they now enjoy: And the present Age would have strangely degenerated, had they not been as zealous to have transmitted the same down to their Posterity.

Most of the *European* Nations were once Masters of the same Freedom the *English* still enjoy. Those great Swarms of people that came out of the *North*, and subdued most part of *Europe*, upon seating themselves in the Countries they conquered, made their Generals Kings, and their Chief Officers their *Concilia Magna*, or *Parliaments*, without whose Consent no Laws were made, or scarce any thing of Importance done: Which Government the *English* have best preserved, being a Nation too tenacious of their Liberties to be Complimented out of them; and (as they to their Cost have found, who have attempted it) of too great a Courage to be Forced out of them.

It cannot then justly be concluded to be against the Publick Good of the Nation to oppose Arbitrary Government, because more lives might perhaps have been lost by it, than by the Tyrannical Governments of all the Kings from the Conquest;

Conqueſt; becauſe thoſe Kings were not Abſolute, and when they endeavour'd to be ſo, were always oppoſed. But had it not been thought lawful to oppoſe them, and they had been as Abſolute as the Doctrine of *Paſſive Obedience* would have permitted them, I would ask whether then (for that is the true ſtate of the queſtion) the Nation would have been as Populous and as Rich as it is at preſent by preſerving its Liberties, and oppoſing all Uſurpation? There is, I think, no reaſon to doubt, if Arbitrary Government had prevail'd, but that the Country would have been reduced to as poor and as beggarly a condition, and would as much have been depopulated as any Province under the *Turkiſh* Empire.

There can be no greater Argument than the univerſal Conſent of the Nation, that what they ſo unanimouſly concurred in, was not againſt their Common Good; and nothing but a Danger as Univerſal as it was great, could make all people ſo deſirous of a Revolution: And there could be no pretence from the Publick Good of not reſiſting, when Slavery it ſelf was not the end, but only in order to extirpate an Heretical Nation; which all Popiſh Princes by their Religion are obliged to do; and there was no reaſon to ſuppoſe the late King (had not the Deſign been ſo notorious) leſs zealous than his Neighbours. *Where it is notorious that a King has a Deſign to enſlave the Nation, there can be no great danger in oppoſing him*; becauſe it is impoſſible for him, (the Lands and Riches being in ſo many hands), to be able to influence ſo great a Number of the Gentry and Nobility, as ſhall be ſufficient to oppoſe the Common Intereſt.

There is nothing more pernicious to Government, than to encourage thoſe that publiſh ſuch Doctrines as tend to deſtroy the Rights and Privileges of the people: Who are quick-ſighted enough to find out the weak ſide of ſuch Arguments as tend to their hurt; and it makes them ſuſpi-

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cious that some sudden Designs are carrying on against them, and prepares their minds to receive any ill impression against the Government. What happened in King *Charles* the First's time, is an undeniable Instance of this, where the encouraging and preferring almost none but such as preached up that *Senseless Doctrine*, created such Jealousies, Fears, and Mistrusts in the minds of the People, of whom too many were irritated by Persecution (*for Passive Obedience and Persecution, like Brethren in Iniquity, go hand in hand*) that nothing but the Ruin of that Prince could satisfy their Jealousies. That Doctrine had like to have produced a more fatal Consequence in his Son's time, by encouraging him (who had the weakness to think, that those who when uppermost were Bigots for it, would submit to it when they themselves came to suffer) to invade the Rights and Liberties of the People.

CHAP. III.

Of the Publick Good.

THE Consideration of *the Publick Good*, which is *the Supreme Law* by which both King and People ought to guide their Actions, does oblige Subjects to obey in all things that are in the least disputable, and even to acquiesce in whatever a King does, if in the whole he promotes the Publick Good. It is not barely the breaking a Law, or stretching the Prerogative in this or that Point, can do any great mischief; except it be done with a Design to subvert the Liberties of the People, and establish Arbitrary Government. In many cases the good of the Whole may require the Laws to give place to the Executive Power, because it is impossible upon the account of the infinite variety of Accidents and Circumstances that attend Humane Affairs, to foresee, and by Laws to provide for all the Necessities

ceſſities that concern the Publick: Laws can only reſpect what does generally happen; there muſt be a vaſt number of Particulars, where a rigid Obſervation of Law muſt be hurtful; and it will be neceſſary that a Power to Diſpenſe with the Penalties of the Laws, ſhould be lodged with the King, whoſe Power cannot be too large, if he uſeth it for the Publick Good.

The *only Enemies* to the preſent Government (at leaſt amongſt the Proteſtants) are *the Aſſerters of Paſſive Obedience*; who tho they think it for the Publick Good to ſuffer a King to inſlave a Nation, rather than oppoſe him, yet are ſo abſurd as to think they are obliged in Conſcience to diſturb the Government that protects them, and raiſe a Civil War (tho the conſequence ſhould be never ſo fatal) to reſtore a Prince, whoſe Return would, if the War did not, compleat the Ruin of the Nation. The Falſeneſs and Abſurdity of which Opinion, I ſhall endeavour to make manifeſt: And to ſhew, That it is the *Indiſpenſable Duty of all that are Protected by a Government, to bear True Faith and Allegiance to it.*

I ſuppoſe I need not ſpend many Words, to ſhew the Abſolute Neceſſity of Government, for the Good and Well-being of Mankind; or that it was for no other reaſon that men parted with their Liberties (for what elſe could be an *Equivalent?*) but for the mutual Defence and Security which they receive by Government, which is the ſole Deſign and End of all Laws, Puniſhments, and Rewards. As this Reaſon was at firſt the ſole Motive for ſubmitting to particular perſons, ſo it is the only reaſon ſtill for continuing Allegiance to them; and when this Reaſon ceaſeth, Natural Liberty does return, and then men are obliged for the ſake of their own Safety and Preſervation to pay Allegiance where it is moſt for their own Intereſt and Advantage.

Obedience is due to Government, and not to the Perſon

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that governs but upon the account and for the sake of it; otherwise people might be obliged to pay Allegiance to a King after he had resigned his Regal Office. *It is possible for a King to lose his Government, and not lose the Allegiance of his Subjects, because they are Relatives*; and according to the nature of all Relatives, one cannot subsist without the other.

Natural Relations, as that between Father and Son, last as long as both Parties Live; but Artificial ones, (if I may so term them) as those between Master and Servant, King and Subject, may be destroyed during their Lives; and when these Relations cease, all Obligations on both sides cease. The Relation between Sovereign and Subjects is destroyed, when the Sovereign will no longer Protect his People, and so freely withdraws from the Government, or when he is deprived of the Power of Protecting them, and so is driven from his Government; which, as to the People, (for whose sake Government was Instituted) has the same effect; and they equally lose that Protection and Defence, for the sake of which alone Allegiance is paid, whether the Sovereign will not, or cannot any longer Govern them, and is forced to leave his Government in the hands of others; whereby those that were his Subjects are as incapable of paying him Allegiance, as he is to Protect them; and the same Force that will justifie his leaving them, will equally justifie their Transferring their Allegiance: And since no Society is able to subsist without having Justice Administred, and enjoying those other blessings that are derived from Government: Either they must by living without Government become a prey to every one, or else there is a necessity of preserving themselves by paying Allegiance to the new Government.

If Obedience were due purely to the Title, Subjects would be very great Rebels in refusing to pay Obedience to a Mad-

a Madman with a Legal Title, and in placing another in the Throne: What other reason can be assigned for removing him, but that the good of the Commonwealth requires Obedience to be paid to a Person that can Protect them; which since a Madman cannot, it is their Duty to pay Obedience to another that can. Is not a Person that has lost his Government, as unable to Protect the People, as he that has lost his senses? And would not the indeavouring to restore him by violent means, be more pernicious to the Publick, than suffering a Madman in the Throne? For though the incapacity proceeds from different Causes, the one being a Natural, the other a Moral one, yet the reason, the *Publick good*, is the same, for not endeavouring to Restore one, as it is for Deposing the other.

Though the next of Kin may have a right to be a Guardian to a Minor, yet if admitting him would prejudice the affairs of the Minor, he ought to be denied that Right, or rather that Right ceaseth, because it is against the interest and advantage of the Minor, for whose sake alone he was appointed Guardian: So in matters of *Government*, (*which is an Office that had no other grounds for its being instituted, but the good of the People, who are always in their Minorities*, and such Sovereign Curators are constantly necessary for the management of their Affairs): Any particular Person's Right to that Office must cease, if he cannot be admitted without great prejudice to the Minors; and as the number is disproportionate between one and a whole Nation, and as the lives of a number of Persons are to be valued before the interest of a single Minor; so much stronger will the Argument hold in behalf of the People, and the greater will the Crime be in attempting to admit any Person into that Office, when it cannot be done without involving the Nation in manifest Ruin.

Therefore in most cases where one King has Power enough to turn another out of his Kingdom and get into his

his Throne, it is highly probable he will be able to keep it against any Opposition from the Person he Conquered; So that they who set up for his Interest, expose themselves to certain Ruin and Destruction. But though it might so happen that they might succeed in the Attempt, yet since it could not be done without a manifest injury to the Nation, by Disturbing the Peace and Quiet of it, by causing the Effusion of so much Blood, Rapine, Desolation, and those intolerable Calamities which Civil War does produce, it would be so far from being a Duty, that it would be a sin of the first magnitude to Attempt it; it would be contrary to the greater and prior obligation which they owe to the Publick.

For none can have a Right inconsistent with *the Publick Good*, which *is the only Fundamental Law of all Societies*; contrary to which, no Law (and consequently no Legal Right, which is built upon Law) can be valid, to which as to a center, each man's Actions ought to tend, because the more universal any good is, the more it ought to be imbraced; and *Societies could not subsist, but must necessarily fall into a state of War and Confusion, if every man should prefer the advantage of any particular Person before the Good of the whole.*

As every particular Person's interest must yield to the general Good of the Society; so must that of a particular Society submit to the more universal Good of all Societies; and no Principles can be true (however they may serve a particular turn) that, if generally practised, would be against the Good of all Societies; but nothing can be more destructive and pernicious to all human Societies, than those Principles which assert that Allegiance must be only Paid to him that hath a Legal Title; because it must oblige vast numbers in all Revolutions to be destroyed for the sake of a single Person, rather than submit to another who is in the same Station and by whole

Power they might be Governed and Protected.

It is a Doctrine of most dangerous consequence, and if embraced would destroy the best part of Mankind, and fill the whole world with Blood and Confusion; for in such Revolutions (which frequently happen) what Government will suffer its Enemies (the more still the more dangerous) to enjoy equal privileges with its dutiful Subjects? thereby enabling them to destroy that Government, which by all tyes of Conscience they must think themselves obliged to, as Subjects to its Enemies.

The safety and quiet of their peaceable Subjects, as well as self preservation, will oblige the Supreme Powers to extirpate them, for it is impossible for men of these Principles, if they act accordingly, to live quiet under a Government which they suppose has no Legal Right, because their actions are not in their own power, but in that of the Dispossessed Prince, who has the same Indispensable Right to Command them, as he had before he was outed of the Throne. Therefore they are obliged, whatever they promise, or whatever specious pretences they make, to act contrary to them, when either his Interest or Commands do require it.

Can it be supposed, that when men submitted to Governments, (because it was absolutely necessary for their Preservation) that they submitted on such terms, as should oblige them in so many cases to run into those inconveniences which they desired to shun, rather than live in peace and quiet under a Government which does actually Protect them?

Nothing can justifie such Principles, except the *Misery* and *Destruction*, not the *preservation* of humane Societies, be the *Supreme Law*, or that it is a Sin to act for the general Good of a Society, and a Duty in the People to expose themselves to certain destruction, rather then act for their own good, in a matter which was solely Instituted for their good.

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A man may be obliged to ſuffer rather than act againſt his Duty, but that he ſhould be obliged to ſuffer rather than do his Duty in promoting the general good of the Nation, is to me a ſtrange Paradox. If it be a Duty to act for the Publick good, and the general intereſt of a Society; and if the more Univerſal the good be, the more it ought to be ſought for; then the means that are neceſſary to this duty, or end, muſt be as neceſſary as the end it ſelf, becauſe the end preſcribes the means.

So that if the paying Obedience to the Preſent Government be for the good and happineſs of the Nation, it muſt be a Duty in every one to do it; and on the contrary, if endeavouring to diſturb the preſent Settlement, and to Reſtore the Late King be (as I think no Proteſtant can doubt it) to the diſadvantage, and againſt the good and intereſt of the Nation, it muſt be a ſin. And can there be more dreadful conſequences (than what in all human probability, muſt happen upon Unſetling the Preſent Government,) to our Eſtates, Liberties, and Lives, and what ought to be dearer than all, to our Holy Religion? Except Popery, and *French* Tyranny, which include in them Slavery both of Body and Soul, are to be courted at the expence of a Civil War.

The paying Obedience to thoſe that are in Poſſeſſion, is a Doctrine that tends ſo much to the intereſt of human Societies, and of all the particular Members thereof, that even thoſe who Oppoſe it, if they conſulted their own happineſs, muſt wiſh it were true; and what greater Argument can there be of the truth of it, than that it is ſo conducive to the good of Mankind?

And that common Objection, or rather Reflection, That it is intereſt makes theſe Tenets, which require Obedience to the Preſent Government, ſo univerſally imbraced, which (how ſoever it be uncharitably deſigned) is ſo far from deſtroying the Credit of them, that it is a demonſtration of

their

their truth; becauſe they are for the Good of Particulars of which the Publick is made up.

CHAP. IV.

Of God's Laws.

THE Publick Good of Societies, is not only the foundation of all human Laws, (upon which all Legal Rights depend, which ceaſe to oblige, and are null and void, when contrary to it) but is even the foundation of God's Laws, which concern men with relation to one another.

For God, who is infinitely happy in himſelf, could have no other motive in creating man, but to make him happy in this Life, as well as that which is to come; and accordingly if mankind would follow thoſe Rules that are preſcribed by God in order to their behaviour towards one another, in what happy, bleſſed, and flouriſhing State would they be in? And what miſery and confuſion even in this Life does deviating from thoſe Rules create, beſides the Puniſhment they receive in the Life to come, for acting againſt their good in this. Do not the circumſtances as they tend to the advantage or diſadvantage of human Societies, make things good or evil? And are they not the only rule to judge of God's Laws by; as for inſtance, the Commandment declareth in general terms it is not Lawful to Kill; yet it is a duty in the Magiſtrate to Kill, becauſe it is for a Publick good, which is the only rule by which to diſtinguiſh between Murther and Juſtice. Even a private Perſon may kill in his own defence; and ſuch a Liberty is for the Publick good; nor do Chriſt's Precepts, which

which forbid all manner of Revenge, and require Forgiving of Injuries, hinder any from punishing those that injure them by Legal courses; because the punishing them tends to promote the Publick Interest of Mankind.

It is unlawful to take what is anothers without his consent, yet if it be for the Common good, it is not only Lawful, but a Duty, as Blowing up of houses in case of Fire, against the consent of the Owner, or digging in a man's Ground to prevent an Innundation; if a Ship be in danger to be lost, it is the Duty of those that are in it, in order to preserve the Ship, to throw any man's Goods over Board, though contrary to his consent; and if a Ship wants Water, She may Lawfully, even by Force, take some from another Ship, if that Ship in all likelyhood hath enough to carry her to the next Watering-place.

In case of necessity it is Lawful for a private Person to take from another what is necessary for his Subsistence, if he whose it is, be not in the same want; nay, even what is Devoted to God in such cases it is Lawful to take; and Christ makes *David's* eating the *Consecrated Bread*, an Argument *à Fortiori*, to justifie what his Disciples in their Hunger took from man; in such cases the Natural Right of self-preservation returns, and though People are sometimes punished for taking from another in their necessities, yet that does not prove it Unlawful, but the Punishment is inflicted only to prevent a gap being laid open to *Libertinism*, which would be inconsistent with the Publick good and convenience; for the sake of which a Person ought sometimes to suffer, though it be undeservedly.

What is more inviolable then a promise to return what one is intrusted with? Yet none are obliged to return a Sword to that Person who designs to Attempt his own Life, or that of anothers; much less ought we to endeavour to give any one the Power of the Sword, tho he has never so much Right to it, if the Attempt would prove

fatal

fatal to a great number of lives, and contrary to the good of the Society, for whose sake alone he has that Right; nor can any one be obliged to ruin or prejudice a Society for the Right of a particular Person, when the Right which that Person has, was only for the preservation of that Society. What is more sacred then Truth? Yet even that is dispensed with, when it is evident the contrary is for the good of those to whom it is spoken, and no prejudice to any other Person, as in the case of Melancholly and Sick Persons, and Children, or such like instances If Untruths were forbid, not because they were Injuries, but barely because they are Untruths, all Parables, Fables and Novels would be Unlawful.

What can be more unjust than to take away the Life of an Innocent Person? Yet if it be for the Publick good, it is so far from being Unjust, that it is a Duty in those that have the Publick Administration of Affairs to do it. And all Governments act no other ways when by force they compel Innocent Persons to the Wars where it is unavoidable, but that great numbers must be slain: Tho it seldom happens to be for the good of a Society that an innocent Person should suffer, yet the only thing that Government looks after in punishing, is the *Common good*, and it may justly cause an innocent Person to suffer, if it be for the General good; because the *lesser* (the *particular*) which is then considered *sub ratione mali*, must give place to the *greater*, the *General good*. Not only the Publick, but a Private person has a Right to take away the Life of an Innocent person, if he cannot otherwise preserve his own. And most Casuists are of Opinion, that a man (if parting with his Life should happen to be beneficial to the Publick) ought, as *Codrus* did, freely to lay it down; but they all agree, that a man ought to part with any thing that is less than Life, or not endeavour to recover what he has been de-

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prived of, if he cannot do it without detriment to the Publick, much less ought any to assist him in the Recovery.

In short, There is no Law that wholly relates to Man, but ceaseth to oblige, if upon the infinite variety of circumstances which attend human Affairs, it happens to be contrary to the Good of man.

But in things of a higher nature, and which are Moral in themselves, and relate to the Worship and Honour of God, it is not Lawful upon pretence of Temporal interest, to dispense with any of those Duties, because it is not Lawful to do evil that good may come; and the Temporal good, which is the less, ought to give place to the greater the Eternal: Though even in these cases, things which relate to God's Worship, if meerly positive, must yield to the good of Particular men, because they are (as Christ speaks of the Sabbath) made for man, and not man for them. But in things designed for the Temporal interest of mankind, the standard of Good and Evil is the Publick good, and things are Commanded or Forbidden, as they are either good or hurtful to Mankind; and what in some circumstances may be a Duty, in others, if it prove inconsistent with the Publick good, would be a Sin, and the contrary a Duty; and then acting for the Publick good, would not be doing Evil that Good might come of it, but by the circumstances altering the case, it would cease to be Evil.

The design, end, and intent of all Gods Laws, is the Worship or Reverence that is due to the Deity, and the Love that is due to man. The love of God and one's Neighbour, our Saviour saith, are the Two grand Commandments, on which hang all the Law and the Prophets. Can] in a much more eminent manner does the Gospel, whose Precepts, as they teach the mutual Duty of man towards man, are nothing but Love and Charity. So

that it is evident, that no Doctrine can be true that is in the leaſt inconſiſtent with theſe Two Commandments, the Love of God and of ones Neighbour: But how can he be ſaid to love his Neighbour, (which is an indefinite word, and carryeth the ſence of an univerſal) who will have vaſt Numbers ſacrificed to the intereſt of a Single perſon? Or how can it be preſumed, that God, who has declared he is no reſpecter of Perſons, and has made all men by Nature equal, ſhould act ſo inconſiſtently with himſelf, as to require that great Numbers ſhould loſe their Lives, and be expoſed to all manner of Miſery, for ſo inconſiderable a trifle, as the advancing a ſingle Perſon to a Poſt, which is attended with as great Cares and Troubles, as Honours and Riches; or that he ſhould preſcribe about Government (which could have no other ground for its Inſtitution but the good of the Society) I ſay, that he ſhould preſcribe ſuch rules, as in moſt Revolutions muſt tend to their Ruin and Confuſion?

CHAP. V.

Of the Law of Nations.

UPON this foundation of the General good of Societies, have certain Rules and Cuſtoms been obſerved by Nations in their intercourſe with one another, which are called the Law of Nations (without which no Correſpondence either in Peace or War could be maintained) which only by tacite conſent, and general practice of Nations, upon the account of their evident utility, and common profit, have obtained the force of Laws, and are looked on as ſacred. The Supreme Powers, neither by themſelves,

themselves, nor Representatives ever met, or enacted such Laws, nor have other Nations Power to oblige any Sovereign Independant State, which cannot be bound to observe their Customs, or Practices, but, as they tend to the General good and advantage of all Societies.

Every Nation is at Liberty to appoint what Government, Laws, &c. or manage its own Affairs within itself, as it thinks best. The Laws of Nations relate only to their Commerce, and Correspondence one with another, and Princes are no other way concerned by the Law of Nations with one another, but as they have the Power of making Peace or War, and all other Leagues for those Nations they Rule.

It is not at all material what Right they have to this Power, it is sufficient the Nations then own them for their Sovereigns, and have intrusted them with this Power; It would be an endless, as well as useless task, for Ambassadors before their admission, to prove the just Right their Masters have to those Titles and Powers they assume to themselves.

All Treaties, except they appear to be merely Personal, though made with Usurpers, will oblige Legal Princes, if they succeed, and so *vice versâ*, and a League made with a Nation, when under a King, will oblige that Nation (provided they continue free) though the Government should be changed to a Commonwealth, because Leagues are National, and made with Princes only upon the account of the Nations they are Representatives of. But when they lose this Power, and the Nations are no longer concerned in their Acts, they lose all manner of Right that did belong to them by the Law of Nations; because these Privileges are (as *Grotius* calls them) *Jura Regni*, and did belong to them only as they were the Publick Persons, or Representatives of their respective Nations, which when they cease to be, they have no more Right to

blow

them, then they had before they were these Publick Persons.

But because the same intercourse between Nations will always be necessary, which cannot be maintained, but with those who have the Supreme Power; and they that have that Power, must have a Right to those Privileges, upon the account of the Nations they Represent; and the Dispossessed Princes, must with their Kingdoms lose their Right to them, because more than one at the same time, cannot have the same Right for the same Nation: And though some Princes (out of design, or hatred to their Enemies) may allow outed Princes some of those Privileges that belong only to those that have *Summum imperium*, yet they have no Right by the Laws of Nations to claim them, but they, as well as those that follow their broken fortunes, can be esteemed no other than Subjects, during their stay, to those Kings in whose Dominions they abide; where they are so far from having a Power of making Peace or War, or any other National Contracts, that they cannot, without License first obtained from those Princes in whose Dominions they are, send any to treat with other Princes, or receive any sent by them; much less allow them those Privileges which are due to Persons of a Publick Character. And it would be unreasonable that Sovereigns should be obliged to allow them, or any sent by them, those privileges, when they are incapable of returning the same. And with as little reason can any Prince in anothers Dominions pretend to grant Commissions to private Men of War, to disturb the Trade and Commerce of any Nation, because he cannot claim in another Prince's Territories a Power (which can only belong to the Sovereigny of those Dominions) to Judge, Condemn, or Restore according to the Maritime Laws, the Ships and Goods which are taken by those that act by his Commission. So that the Privateers themselves would

would be their own Judges, whether what they take was Lawful Prize, which in effect would be a power to rob whom they had a mind to. Therefore by the Law of Nations, all who act by such a Commission, are esteemed as Pirates.

CHAP. VI.

Of the Obligation of Human Laws.

ALL Writers allow, That the Leagues and Contracts which Princes make with one another, do oblige them to one another, no longer then they are in possession of their Kingdoms, because the sole reasons of making these Leagues, were upon the power each Kingdom had to afford mutual Assistance and benefit to one another; and if this be a constant practice with Kings, that their Treaties oblige them no longer than when each King has Possession of his Kingdom; Why will they not allow the same reason to hold for Subjects, that they should be free from all Obligations to Princes, when they no longer receive any Protection from them? Seeing that was the only ground and sole cause of their paying them Allegiance; and in truth they cannot be any longer obliged, then the reason for obliging them holds: For why should People be obliged, when there is no reason they should be so? no Laws can bind any longer, than the reason for Enacting them holds good; and when the sole reason that made them Laws, ceaseth, the Laws themselves must so too; much more must any particular Law be null and void, when not only the reason of keeping it ceaseth, but the keeping it does thwart the general intent and design of all Laws, which

which is the good and happiness of the Societies: to which all Laws are but means; and there is no reason that the means should oblige, when the end for whose sake the means were ordained cannot be obtained by those means, much less when they become destructive of the sole end for which they were ordained.

If there were a Law that Ships should sail on such a side of the Channel, and the sole reason, whether expressed or not, were for avoiding the dangerous Sands that were on the other side; if the Sands should chance to be removed to the safe side of the Channel, the Pilot would be so far from being bound upon the account of that Law, to run his Ship upon the Sands, that he would break the Law if he kept to the Letter of it, and would observe the Law by going contrary to the Letter: So again, if a Law that required Obedience to one particular Person, should happen to be destructive of the Publick good, and of fatal consequence to the Community, the Letter of the Law would oblige no more in one case than in the other; nay, the reason of not observing the last would be stronger upon the account of the disproportion of the number: But the true meaning and intent of the Law would in one case as well as the other, oblige People to act contrary to the letter of the Law; and people would be as much bound to pay Obedience, where it would be for the Publick Good, as in the other case, the Ship would be to sail on the safe side of the Channel.

The occasion of not a few Mistakes in this important Controversie, ariseth from mens judging by the same rules, (tho the reasons are extremely different) in cases which concern the Supreme Powers, as they do in those which relate to private Persons. In cases between private Persons, there is a Superior to decide all controversies, and *to do right and justice; for which end he was made their Superior.* So that if any one by

Fraud

Fraud or Violence poſſeſſeth himſelf of another's Right, the Law is open, and redreſs may be had without any danger to the Publick; nay, *The Publick Safety conſiſts in having private mens wrongs redreſſed.*

But as to the Supreme Powers, whatever Right or Titles they have, people are obliged to ſubmit to thoſe in Poſſeſſion, becauſe there is no Superior Court (as in caſe of private perſons) to judge of their Rights; and Poſſeſſion, by all Laws, gives a man a Right, till he be legally diſpoſſeſſed; and if a man cannot be turned out by Courſe of Law, (as it is evident he that is in Poſſeſſion of the Government cannot), he ought ſtill to enjoy what he poſſeſſed. For it is againſt the Nature of all Civil Societies to appeal to the Sword, to prevent which they were inſtituted: Beſides, Force can never decide Civil Controverſies, nor can the Sword be a proper Judge of Wrong or Right; it can only determine who is the ſtrongeſt, not who has the beſt Cauſe; and the pretended Remedy would be infinitely worſe than the Diſeaſe; for Civil War, as long as it continueth, deſtroyeth all Civil Rights.

If the next Heir, whether Brother or Son, ſhould get Poſſeſſion of the Government by Murdering his King, the people (inſtead of giving him that Puniſhment which by the Law of Nature, and God's Poſitive Law, is due to ſuch Crimes), are obliged to pay him Obedience, to which he can have no other Right but Poſſeſſion; for whilſt his King was alive, and in Poſſeſſion of the Government, he could have no Right; and certainly an Action ſo barbarous as murdering him that was (ſuppoſe) both his Father and King, which is againſt all Right, Law, and Juſtice, could never give him any Right or Juſt Title, becauſe it is againſt all Conſcience and Reaſon, that a man ſhould reap any advantage by an Act ſo monſtrouſly wicked; and any Law that ſhould allow a man any benefit by ſo enormous a Crime, would be as ſinful it

ſelf:

ſelf: Nor can a man in any other caſe reap any advantage by his own Turpitude; but here, becauſe there is no ſuperior to puniſh him, nor can Obedience be refuſed him without Injury to the Publick, it is peoples Duty, inſtead of puniſhing him, to pay him Obedience. And certainly the ſame Reaſon will hold for paying Obedience to any that get Poſſeſſion of the Government, ſince none can get it more unjuſtly.

All Legal Rights muſt depend upon the Laws, and all Laws, for their Authority, upon the Government; and when that Government is at an end, all the Laws that concern it muſt be ſo too, and can no more oblige than the *Engliſh* Laws can in a Foreign Countrey; becauſe a Power to put Laws in execution (whereby people are protected) is eſſential to all Laws, becauſe it is eſſential to all Government, on which the Laws depend; and without ſuch a Power no Civil Society, and by conſequence no Civil Laws can ſubſiſt.

No particular Law can bind in thoſe circumſtances, where all Laws would ceaſe to bind; and there is no reaſon that ſome Laws ſhould oblige, when all Laws would have no obligation; as they would not oblige if there were no Power to put them in execution; becauſe men, when there is no Power to reſtrain them from acting as they have a mind to, would be in the ſtate of Nature, and conſequently without any Laws but thoſe of Nature.

Without a Coercive Power, the Laws become a dead Letter, or at beſt but Advice; ſo that there can be no Laws that can oblige people to act againſt the preſent Powers, becauſe by being againſt the preſent Powers they ceaſe to be Laws.

If a Law that ſhould oblige people not to pay Obedience to the actual Poſſeſſors of the Throne, had they not a Legal Title to it, were not in its own nature null, or could ſubſiſt after that Government to which it required Obedi-

ence

ence, was destroyed, it would be void upon account of its Impiety; because as long as the Legal Princes continue dispossessed, which might extend to some Centuries, it would overturn all Government, and all Civil Society, which are instituted for the good of mankind, and which Nature hath qualified man for, by making him a Sociable Creature.

Can any man in his senses think, that a particular Prince's Interest can stand in competition with the very Being of Human Societies, and the Preservation and Safety of the People? Is it not absurd to suppose, that Legal Rights that owe their Being to Civil Societies, should oblige people to put an end to Civil Societies; and that Laws that are but the Rules of Government, should destroy Government it self, or that Human Laws should be able to destroy the Law of Nature, or take away that Natural Right which people have to act for their own good and preservation, which is a Right that is superior to all Human Laws, and for the sake of which all Human Laws were made.

All Human Laws are made *cum sensu humanæ imbecillitatis*; nor do Legislators themselves design they shall oblige in case of great and pressing Inconveniences, but allow that a moral Necessity does destroy the Vertue and Force of them.

The Good and Interest of the People, is the Supreme Law, to which the Rights and Titles of Princes must submit; and where it is for the good of the Nation that they should be governed by such a particular person, That person best and most Legal Right, because it is built upon the Supreme and Fundamental Law of all Societies. And whoever designedly breaks this most Sacred Law, may justly be accounted a Rebel; and as the Crime would be greater in them than others, if they who are hired by Travellers to protect them from Robbers, should rob them them-

ſelves; ſo if Princes, who are intruſted by the people with Power, in order to Protect the Society, ſhould make uſe of that Power to the Detriment of the Society, the Crime in them would be ſo much the greater, by how much more they are obliged to act otherwiſe.

CHAP. VII.

Objections anſwered.

Object. *UPON ſuppoſition that the Good of the Society is the Grand Ultimate Law, yet theſe Principles, which require Obedience to the Poſſeſſor, cannot be true, becauſe they are againſt the Peace and Happineſs of Nations, by encouraging Rebellion againſt all Princes, in obliging people to pay the ſame Allegiance, even to thoſe that unjuſtly depoſe them.*

Anſw. Theſe Principles are ſo far from being deſtructive to the Peace and Quiet of Nations, or encouraging Rebellion againſt their Governors, that they require Obebience to all in Poſſeſſion, upon pain of Damnation; but if neither the fear of Eternal Puniſhment in the life to come, nor the ſevereſt that can be afflicted upon them in this, can ſecure people from rebelling, I muſt confeſs my Ignorance, I know nothing that can. It is the Duty of all Subjects to do their utmoſt to defend the Government; that is but a juſt return, and what is due for its protecting and defending them: But if by the Chance of War, or any other way, it ſhould loſe the Power of Protecting them, they are not obliged to have their Throats cut, rather than pay Allegiance to that Government, by whoſe Favour and Protection they ſubſiſt, and enjoy what they have. And that

Prince

Prince is very unreasonable, and acts against the rules of Humanity, as well as Charity, who when he is able no longer to Protect the People, would rather have them destroyed, then own that Government that can.

Nothing can justify such an inhuman and barbarous Opinion, except it can be proved that men entred into Societies barely for the sake and interest of a single Person; and that if his pleasure or profit require it, Millions of Lives must be indispensably sacrificed. This is to place Men in a worse condition than the Beasts are; if they are in Conscience obliged to lose their Lives to gratifie the unlimited Pride, Ambition, Revenge, or Interest of a single Person.

It is strange that any *English-men*, who are the Freest Nation in the world, should have such Notions of themselves, that they are no other then the King's Properties: Though it is but reasonable that men who design to bring the most insupportable Slavery on themselves, should qualifie themselves for it by Notions and Principles so much below the dignity of human Nature.

These Principles are so far from being any ways prejudicial to Mankind, that it is they alone which in all Revolutions can secure human Societies, and make Governments easie and safe both to Kings and Subjects, by putting an end to those otherwise endless Disputes of Titles. And Princes may without Fears or Jealousies mind the Publick good, because it secureth them who are in Possession against all Pretences.

The most that can be Objected, Is that a Prince that has once lost his Dominions, may by these Principles chance to lose the hopes of ever recovering them again.

A Prince that is unjustly expelled, ought to acquiesce if he has no way of Recovering his Kingdom but by disturbing the Peace and Quiet of a Nation; he ought not

to make use of such Unlawful means for the Recovery of his Kingdom; and certainly others can have no reason to act against the good of the Community for his Interest, when he himself is obliged not to act.

The interest of a Prince is only more Sacred then another's, when that of the Publick is involved in it, but when that is no longer concerned in his actions, he ceaseth to be the Publick Person, and is but upon equal terms with other private men, and ought as well as any other to acquiesce, rather than disturb the Quiet or Peace of a Nation. And there is then the same reason for not endeavouring to Restore him, as there was at first for not turning him out.

All the ill consequences that can happen in this case, are that the less hopes Princes have of being Restored by such Unlawful means, the more careful (it's hoped) they will be in Governing the Commonwealth, and more afraid of Arbitrary Illegal Practices.

Object. *If all Persons how unjustly soever they get a Crown, have the same Right (their Consent) to the Obedience of the People, then there can be no such thing as an Usurper.*

Answ. He who without any just Cause destroys the Right that any Prince hath to the Allegiance of his Subjects, by making him uncapable to Protect them, and Protects them himself, may be called an Usurper: Though the People by the former Prince's losing his Power to Protect them, are reduced to the State of Nature, and by consequence free from any Allegiance, and may Lawfully or rather are obliged (every one else being out of a capacity to Protect them) to consent to be Governed by him, who has the Power to Protect them, who being so Chosen, has the only Right a King can have, the Consent of the People, who are as much obliged to Obey him, as they are any King whatever. The former King is so far then from

from being their Legal King, that he is no King at all, nor has any manner of Right to their Allegiance. It is true the Usurper having done him an Injury ought to make him satisfaction, and (if he can without any damage to the Publick) ought to place him in that condition he was in before he made him uncapable to Protect the People; who then, for the sake of Protection which they receive from him, are obliged to pay him Obedience. The having a Right to be restored by the Usurper, is the only Right a Prince that is unjustly Deprived of his Regal Office can pretend to. And when I speak of his Legal Right, I mean nothing but this by it; Amongst the *Jews*, though none could have a Legal Right but one of their own Nation, because they were obliged by God himself to chuse a King from amongst their Brethren, and God afterward, 2 *Chron.* 23. 3. entail'd the Crown upon the Posterity of *David*, yet when these were disabled to Protect the people by their being in the Power of Strangers, it was so far from being a Crime, that it was their Duty (notwithstanding the Divine Legal Right any of their Brethren could pretend to) to pay Allegiance to them, though for the most part they were Usurpers, having no just Cause to conquer them.

CHAP. VIII.

Of Conquest.

IF the Supreme Powers upon the suddenness of the Attempt, or by any other reason become uncapable of Defending or Securing to them the Lives and Goods of their Subjects, they are, as to those particular Cases, in the state

ſtate of Nature, and by their own Authority may juſtly take away the Lives of any that Aſſault them. There can be no reaſon why (if in all other caſes no Protection can be had from thoſe they have conſented to be Protected by) they are not in the ſtate of Nature, and by conſequence at Liberty to pay Allegiance to thoſe who have a Power to Protect them. And this is conſonant to the ſence and practice of Mankind ever ſince there has been Government in the world, who when their former Governors had loſt the Power of Protecting them, thought themſelves notwithſtanding any Tyes, Oaths or Laws that might be pretended to the contrary, free from any Obligation as to them; and becauſe they could not ſubſiſt without Government, they have always conſented to pay them Allegiance who had the Power to Protect them.

And there are no Nations in the world, but have ſeldomer, or oftener, practiſed it; and this is, perhaps, the foundation of all the Governments which are now extant. And this practice does not only obtain as to whole Nations, but even to leſs places; as to Towns, and Caſtles, which never ſcruple to pay Allegiance to their new Maſters, though they change them more than once in a Campaign.

I wonder what powerful Reaſons (never before diſcover'd to the world, and for ought I can ſee by their Writings, ſtill undiſcovered) have now obliged private perſons to deviate from the univerſal practice of Mankind, in refuſing to pay Allegiance to the preſent Government, which alone has the power to protect them.

The anſwer to this is, That Conqueſt gives the prevailing Powers a right, and that people ſubmit to them as to Conquerors; but the *Engliſh* are no conquered Nation, which (though it is nothing to the purpoſe, as I ſhall immediatly ſhew) is, I confeſs, a great truth.

The King was ſo far from invading and conquering the Nation, that it was to ſecure their Rights and Priviledges, that

that he expoſed his Sacred Perſon to ſuch dangers: But according to their own Principles, one of theſe two they muſt grant (for there is no *medium*), That the Late King either freely parted with his Government, and if ſo, there can be no manner of pretence for paying him Allegiance; or that he was driven out by a Superior Force, which in other terms is being conquered: So that then (according to theſe Principles) His Preſent Majeſty muſt have a right to whatever King *James* poſſeſſed.

Conqueſt in it ſelf, and barely conſidered, can give no manner of Right; for what obligation can lye on a Nation to pay obedience to any one for battering down their Towns, killing their Inhabitants, deſtroying their Countrey; and in ſhort, for doing all manner of Outrages? Muſt a Nation, as a grateful return for theſe kindneſſes, be obliged to pay him all manner of obedience? Can any man in his ſenſes think theſe Injuries can give the Actor of them a title to peoples obedience? or that mere force can give a right? for then every one that was ſtronger than another would have a right to govern him.

Conqueſt, by deſtroying the power the former King had to protect his Subjects, ſets them at liberty from any obligation they owed him; becauſe they owed none to him, but upon the account of being protected by him: The Conqueror does not by this get a right to their Allegiance, becauſe to free people from the power of another, and to have a right to command them himſelf, are different things. They being once free from Government, and by conſequence in the ſtate of Nature, nothing can give the Conqueror right to their Allegiance, but their own Conſent. By which it appears, that Mankind hath been often in the ſtate of Nature; and conſidering the often Changes, and Revolutions, there could be few, or no legal Governments in the world, if in ſuch Circumſtances, all ties to their former Governors were not abſolutely diſſolved.

But

But here it may be objected, That their Consent was not voluntary, but forced; and therefore could not oblige them, or give the Conquerors a right.

The conquered may in a sense be said to be forced to what they did, because they are bound by a moral Necessity to act for their own preservation, and happiness; and for that reason they were obliged to leave the state of Nature, and be governed by him that had the power to Protect them; none are forced to be Protected against their own Wills, they by the former Government's dissolution, were reduced to a state of Nature, and if the Prince under whose Power they are, will not afford them his Protection, they would still remain in that state; but they by claiming civil Rights, (which they can only enjoy by his Governing them) and referring their common Differences to be decided, and their Grievances to be redressed by him, or those that Act by his Authority, have put themselves out of the state of Nature, and have freely owned his Government by their Actions, which were voluntary, for they were not forced to have recourse to him for Protection in their Natural Rights, or obliged to claim any Civil ones; and this is looked upon by Mankind as a free and voluntary consent, the most part of whom have no otherways than by their actions owned any Government.

Though their consent was obtained by forcible means, yet that would not destroy the validity of it: It is true, in a Civil Society, all Contracts obtained by Force are void, but then the Force ought to be proved, for the presumption is against it, and Judges declare for a validity of a Contract, if the Forcible means which were used to obtain it, are not proved.

But between Independent Nations, where force on one side is lawful; where there is no superior Judge to determin the differences, or to judge whether force were justly imposed,

imposed, both sides either thinking or pretending they are in the Right, all Leagues and Covenants, by whatever forcible means obtained, are valid, and the Good of Mankind (which is a sufficient Reason) does require it should be so, otherwise Wars would be perpetual, or not to be ended but by the utter Ruin of the Weaker, or Conquered Party; because there could be no manner of Agreement, or Peace between them, if they had a Liberty, under pretence of Force, of breaking their Promises whenever they had an opportunity.

In all such cases it is Lawful to Promise, there being no Superior (as amongst private persons) to take from them the Liberty of making such Contracts; and the Good of Mankind does oblige People to fulfil those Lawful Promises. They cannot properly be said to be forced to Promise, because it was in their power to avoid Promising: Nor is their Consent Conditional but Absolute, and it is their greater Good (either presumed, or real) that obliges them to make such Contracts. For the same reason all Prisoners of War are obliged to stand to their Paroles, and to pay whatever they promise for their Liberties.

The reason is the same for paying Allegiance to the New Government, whether by a just or unjust way the old one was dissolved; and Mankind have all along equally submitted to Conquerors, whether the Cause of Conquest were Just or not: As few Conquerors have had a Just Cause for all the Mischiefs they have done. The reason for Submission is not how one Man gets others into his Power, or whether he had a just Cause of destroying the former Prince's Power, but whether they consent to be Governed by him after they are in his Power. It is for their own sake, and not for his, that they submit to his Government: They may act against their own Good in not submitting to the Conqueror, but they deny him no Right if they do not submit: It is not the Conquest it self, let it be never so just, but the after-consent that makes them Subjects.

A Just Cause of War may make it no injustice to Dethrone a King, because he gave sufficient Provocation; but how can one Prince's injuring another, absolve Subjects of their Oaths of Allegiance? and give the Injured Prince a Right to Command them; who, if he hath any Right besides their Consent, when he has put them into a capacity to Consent, must have it before the Conquest; for mere Force cannot give or take away a Right, it can only put him in Possession of his Right; and if he had any Right to their

Allegiance before Conqueſt, I cannot ſee but that in Conſcience they were bound to Transfer their Allegiance, and join with him againſt their former Prince, who by giving a juſt cauſe of War had Forfeited his Crown.

Though the Nation be not Conquered, yet no reaſon can be urged for ſubmitting to Conquerors, but what will hold as ſtrongly for paying Allegiance to the preſent Government. Has not the Late King as much loſt his Power to Protect the People, as if he had been driven out by Conqueſt? Is it not the Preſent Government alone that makes the People a Civil Society? Is it not by it that they are Protected in their natural Rights, or can claim any Legal ones? which are the only reaſons which oblige People to ſubmit to Conquerors. And are not they that endeavour to diſturb it, as much within the power and reach of the Government, as if they were Conquered? And has not the King and Parliament as Abſolute a Power as any Conqueror?

The only difference is, That without feeling any of thoſe fatal Miſeries which attend Conqueſt, they enjoy the Protection of the Government, and owe their Preſervation to it; and the Nation inſtead of loſing any of their Rights and Liberties, enjoy greater, and are ſecured from the worſt of Slaveries, which otherwiſe they had inevitably fallen into: So that they have infinitely ſtronger obligations to pay Allegiance, than if they had been Conquered; to which their Zeal and Loyalty ought to be proportionable.

CHAP. IX.

Of Poſſeſſion.

ALL Writers, I think, allow, That after a Poſſeſſion of a long continuance, (though they extreamly differ how much time is neceſſary) a Right does accrue to the Poſſeſſor, though there are ſome of the Right Line ſtill in being. If it be unjuſt to pay the firſt Poſſeſſor Obedience, I cannot ſee how a long Poſſeſſion can

can alter the case. A continuance in an injustice may make the injustice greater, but not alter the nature of things, and make the greatest Wrong to be Right. Though all things are done in Time, yet Time it self operates nothing.

This Mistake (as a great many others are) is occasioned by the parallel men draw between private Persons (who are tyed up by Laws that are Enacted by the Supreme Powers) and the Supreme Powers themselves. By the Laws of most Nations, if private men neglect to make a Legal demand of their Rights in a certain time appointed by the Laws, they lose them, and a Right does accrue to the possessor; but this depends upon a Law Enacted by the Supreme powers, who have a Right to dispose of private Estates as they judge best for the publick good; whose Laws can oblige none but their own Subjects. But what authority have the Subjects, or the possessor to dispose of the Legal Prince's Rights? Besides, it might justly be imputed to a private man's own neglect, if, when the Law is open, he does not recover his Right: It may well be presumed he hath relinquished it. But that cannot be said of a Prince who has no Court of Justice to appeal to, or any other likely way to recover his Right, yet by bearing the Arms and Title, and by other ways still asserts his Right.

How numerous are the instances of Princes possessed of Territories belonging to others, and who have been so for a great many years? Yet none dare affirm the Subjects that pay them allegiance, are, and have been all along Traitors: To give but one instance amongst hundreds; The Kings of *England* have a Right to the Kingdom of *France*, and have constantly claimed it by causing themselves to be stiled Kings of *France*, and by bearing the Arms of that Crown; yet none will condemn the *French* as Traitors, who have all along paid allegiance to the *French* Kings. But if the Kings of *England* by tract of time have lost their Right to the Obedience of the *French*, and before that time it was Treason for those of that Nation to pay allegiance to the *French* Kings, I should be glad to know what Month, or Year, it ceased to be Treason; for it is a thing of mighty consequence to know how long it is Treason to obey a King in possession, and when it becomes Treason not to obey him. In short, if a King can have a Right to a Country, and it be no Crime in those of that Country not to pay him allegiance, it demonstrateth that allegiance is not annexed to the Title, but that it is due to the person that does protect them.

Object. *Though Time does not give a Right, yet the Acts, or the no Acts, that is, the omission of some, may in time amount to a resignation of the Right of the Legal Prince to the Usurpers.*

Answ. I grant a man's mind may be expressed by acts as well as words: yet it would be a very hard case to condemn all those of Treason who have paid allegiance to the possessors, before they had sufficient grounds to believe the Legal Prince or his Heirs had by their acts (if such acts could destroy the Right of the next of Kin) resigned their and their Legal Successors Right to the Usurper. In how few cases is there reason for such presumption? If till then all people should be obliged to be destroyed rather than pay allegiance; what a Destruction would it make in the World? Would it not in most cases expose, at least the Good and Conscientious to certain ruin? And others could notpreserve themselves without a Sin, whose reward is Damnation.

Long possession is not at all necessary to justifie the peoples Obedience; for that very moment the people receive protection and defence from the new Powers, they ought to pay them the same allegiance as if they had been in possession of the Government a Thousand Years. The less time a Nation has been setled, the more need it has of rest and peace, and the more dangerous would any violent Revolution be.

CHAP. X.

Of Protection.

BY Opposing those in possession of the present Government, the ill affected act not only against the preservation and happiness of the Nation, but are guilty of the basest and soulest ingratitude, by endeavouring to destroy those persons to whose protection they owe their preservation, and the safe enjoyment of what they have. Who else secureth them from being stript and plundered of all they have, their Wives and Daughters Ravished, and perhaps they and their whole Families Murthered? What better usage could

could they expect, if they were left to the mercy of the Rabble, or to the discretion of every one to use them as they pleased? Can any man in his Conscience think he is obliged to destroy those persons from whom he receives such benefits? Is it not Serpent-like to sting that bosom that warms them? Is this all the grateful returns they can make to the Father of their Countrey? For if that Command of *Honour thy Father and Mother* extends to Governors; since they do not beget their Subjects, it must be for protecting and defending them, that that Title is due: Therefore it can be due to none but those in Possession, for none but they do protect and defend them.

Could they justly blame the Government if it did not protect them, who make it their business to ruin it, when too without their being protected, they would quickly be reduced to a Condition of not being able to give it the least disturbance? What favour can they justly expect, when they not only disown the Government, but think themselves obliged in Conscience to make War upon the Society that owns it? Nay, they are actually in the state of War, and only watch for an opportunity to fall on. What excuse can a Government have for endangering the Commonwealth by protecting those who are no part of it, but are professed Enemies to it?

It is a cruel Mercy to endanger a whole Nation for the sake of its Enemies. Nay, why should they have more favour than Foreign Enemies? It is so far from being an excuse, that it aggravates their Crime, that it is to their *own Nation* they are Enemies, and that is is in their *own Country* that they are endeavouring to raise a Civil War. Though they were still Members of the Body Politick, yet, as a man is obliged to cut off any of his Limbs to preserve the Body Natural, so the Government is obliged to do the same for the Body Politick, if it be necessary for its preservation.

It is frequently urged by the *Jacobites* and their Favourers, That what they do, is upon the account of Conscience, and therefore they ought not to suffer for it; which is but a sorry Reason to hinder the Government from taking all necessary means to preserve it self, and to prevent the ruin of the Nation. But this Argument looks very odly from them who were so zealous to persecute others about things, in which neither the Honour of God, nor the Good of the Commonwealth were concerned. It is as absurd as sinful for any, to persecute their Brethren on pretence of Religion, for things

which

which they themſelves own to be no part of Religion, but merely in themſelves indifferent. But to return,

If they will not be thought *Enemies* to the Society, but part of it, ought they not to act equally with the reſt, for the Peace and Quiet of it, and ſubmit to the Head, that rules and governs it? How can they pretend to be Members of the Society, and conſequently claim any Civil Rights by being ſo, without owning the actual Government that makes them Members of the Society? Do they not, by diſowning the Government, renounce the benefit of the Laws, (which only can be put in execution by the Government) and Out-law themſelves? How can they have any more right to the protection of the Government, if they Out law themſelves, than if the Government, by putting them out of its protection, had Out-lawed them? So that it is wholly by the favour of the Government (for they have no true pretence to them) that they enjoy any Legal Rights. If they think they ſhould be ſeverely dealt with, if the Government did not protect them, why do they not what is neceſſary to enable the Government to protect them? If they *will* the *Conſequence*, the protection of the Government; ought they not to *will* the *Antecedent*, all that is neceſſary to it? And if it be lawful to deſire and to receive the Advantages which flow from Government (which I ſuppoſe no *Jacobite* will be ſo hardy as to deny) why muſt not the means that are neceſſary to obtain theſe Advantages, be ſo too?

How can they that are willing to be protected by any perſon, be unwilling (except they deſire Contradictions) that that perſon ſhould have a power to govern them, becauſe without ſuch a power he cannot protect them; and they that are willing to receive an univerſal protection, are preſumed to be willing to pay all obedience that is neceſſary for that end; which is an Obedience as univerſal as the Protection they expect. It is evident, That he that is willing to receive an univerſal Protection from a Government, is willing that the Government ſhould have a coercive Power over all others, to reſtrain them from injuring him; and that it ſhould have ſufficient Authority to do juſtice, and oblige all people to pay obedience to the Laws, when they are put in execution for his ſake, becauſe in it wholy conſiſts his Protection; and he that is willing the Government ſhould have power over all other people upon his account, ought to be willing the Government ſhould have the ſame power over him, for the ſake of others, except he would be the

only

only man in the Nation without Government; and is unwilling to do that himself, which he would have all others (whatever their Principles are) to do.

If the *Nonjurors* do desire to be protected, and do actually receive the protection of the Government, (though at the same time they pretend it is against their Consciences) it is manifest they do own the Government, and by their Actions consent to submit to it; and what force can a Protestation have against their own Acts?

Do not the *Jacobites* upon all occasions fly for protection to the Government? and apply themselves to those Ministers, as Legal Officers, who act by no other Authority than their Majesties? And have they not constant recourse to the Courts, whose Proceedings are in their Majesties names and authority? Do not all Writs run in their names, and do they not Prosecute people in their Majesties names as acting against the Crown and Dignity of our Sovereign Lord and Lady King *William* and Queen *Mary*, &c. And do they not apply themselves to the King's Ministers for the benefit of those very Laws which are enacted by the present Government, and by consequence own the Authority that makes them? How then can they own the Ministers, and not own the Authority by which they act? and if the taking a Commission from the King for the administration of publick Justice, or in defence of the Kingdom, be owning the Authority of the King, why must not the complying with them, as such, be owning the Authority by which they act? but if they don't own the Ministers to act by Lawful Authority, then they must confess their Sentences are so many Robberies and Murthers, because they have no just Authority for what they do, and they make themselves accessary, since it is at their request they commit them. Is it not esteemed by all Laws owning the Authority of a Court, to appeal to it? Is it not owning the Pope's Authority, to appeal to him, or any Commissioned by him? Is it not by the Law of Nations, and an universal consent of Mankind, an acknowledging a Government, to receive Protection from it?

Do not all that go into a Foreign Prince's Dominions, during their stay, by receiving the Protection of the Government, own themselves subject to it (except Ambassadors, over whom Sovereigns have agreed to suspend the exercise of their Rights) and are they not obliged equally with the Natives, to pay Allegiance, and like guilty of Treason, and so tried, if they attempt any thing against it? And upon this head, all private attempts upon a Prince in his own Country, have been abhorred by all Nations; and those that designed

ſigned any thing of this Nature, have not been treated as juſt Enemies, though in time of War; becauſe the preſumption is, They enter as Subjects into the Dominions of that Prince that protects them.

If applying to a King, as ſuch, for his protection, and receiving it, be not owning his Authority, Princes have but a ſmall ſecurity for the obedience of the greateſt numbers of their Subjects, who have no otherwiſe obliged themſelves to own their Government, but by receiving protection from them.

The denying, That addreſſing to a Government for protection, and receiving it, is owning That Government, layeth a mighty gap open to Rebellion, by deſtroying the obligation of all Allegiance, but what is built upon verbal Promiſes; *So that Men of thoſe Principles ought to be looked upon as Enemies of all Order and Government.*

By examining what it is that gives Government a right to the obedience of men, who are by nature free, it will the better appear what right the preſent Government has to the Allegiance of thoſe it protects.

The reaſon that is uſually given, why people are obliged to obey any particular Government, is (no Prince being ſo ridiculous as to pretend a right, as the Firſt-born in a direct Line from *Adam* or *Noah*) becauſe it was the intent of thoſe who firſt formed the Society, that ſuch perſons, and their Succeſſors (if they made the Government Hereditary) ſhould have a right to govern the Nation for ever. But how could they, whoſe Authority with their Being ceaſed ſo long ſince, oblige the Conſciences of thoſe who were not then in being? or how could any Acts or Compacts of their Anceſtors take away the natural Liberty of thoſe that were born ſo many years after, and who have the ſame right to freedom as they had? Or how could their Compacts oblige thoſe that are not deſcended from them, but come from other Countries into the Society, and make it a ſin in them not to obey the preſent Governors of any Society, upon whoſe Authority alone, and not upon the Founders of the Society, depends the validity of all former Laws, which can only bind, becauſe it is the will of the preſent Powers they ſhould; otherwiſe no Laws could be repealed, if their very being did not depend upon the pleaſure of the preſent Supream Powers, who deſign they ſhall oblige, until they declare the contrary.

Others

Others ſay, That being born in a Countrey, makes one a Subject for all his life to the Government of that Countrey; but why ſhould being in a Countrey, by being born in it, make one become a Subject, more than being in the ſame Countrey at another time. Beſides, common Experience ſhews this to be falſe, becauſe whoever is born in a Countrey where his Parents are Foreigners, may, as it is allowed by all, leave that Countrey when he pleaſeth. But perhaps it may be ſaid, he is a Subject to that Prince where his Parents were born. What if they were born under the ſame Circumſtances? or ſuppoſe his Parents are of different Countreys, as if a *Dutch* Woman and an *Engliſh* Man have a Child in *France*; ſince *France* does not pretend to him, which of the Nations can claim him for their Subject? or muſt he be divided? So that the difficulty ſtill remains, how people come to be obliged to obey any particular Government? which I think can only thus be ſolved.

Every perſon, though he be born free, yet he is for the ſake of his own ſafety, obliged to part with his Liberty, and put himſelf under the protection of Government. Nor can he be ſecure in what he enjoys but by it. Nor can he have a right in a Countrey (that is already poſſeſt) to any thing, but by owning the Government of that Countrey. And by pretending to the Priviledges the reſt of the Society enjoy, he has owned himſelf a Member of the Society, and a Subject of the Government of it. And this is the only way that any (except by verbal Promiſes) conſent to become ſubject to Government.

The conſent of particular perſons being ſeparately and ſingly given, unthinking people take little notice of it, and ſuppoſe they are as naturally Subjects, as men; and conſequently, that they have no more right to free themſelves from their Subjection, than from their Human Nature; nay, muſt ſuffer themſelves to be deſtroyed rather than endeavour it.

But it may be objected, If a man is no-ways bound to a Government, but by his own Conſent, and if the Acts of his Anceſtors no way oblige him, he is not bound to ſtand to their diviſions of the Lands, but he may, *pro virili*, put in for a ſhare, as he might, when all things were in common.

Anſ. If it would be injuſtice in any one to go into a Foreign Countrey, to the Laws of which he is not bound, and ſeize any Land in it, on pretence that the diviſions of the Land were formerly made by people whoſe Acts could not oblige him, and therefore he had

as just a right as any of the Inhabitants, to a share in the Land; if this were injustice in him, why would it not be so in one that is born in that Countrey? What Right can he, that comes from no other place, but from Nothing, pretend to, more than he that first came from another Countrey. If a Countrey be wholly possessed, and occupied, (which by the Law of Nature, antecedent to all Human Laws, gives a right) by being improved and cultivated by the labour and industry of the Inhabitants, who are so very numerous, that the Land does not produce without vast labour, sufficient to maintain them, what right can any that comes into this Countrey, either by being born in it, or any other way, have to their labour, by usurping any part of this Land, which was long since possessed, and divided amongst the the Inhabitants, who having a full power over their own Properties, might subject them to what Laws they pleased, (and which the Legislative Power may still continue) and permit none to have a right to them, or enjoy any advantages by them, or so much as to be in the Countrey without owning the Government of it? And it is highly reasonable that no Government should suffer any to remain in its Dominions, who will not own its Authority, or be subject to the Laws of the Countrey. If it were unjust, before Lands were divided, to have robbed any one of the Fruits of the Earth, that he by gathering had made his property, why should it not be as much injustice to seize upon that Land, which is now as much another's Property, as the gathered Fruits were then? But I shall speak no more upon this Subject, because it is, in his Essay of Government, so fully handled by that wonderfully Ingenious, and Judicious Author, whose Works of all sorts one cannot enough commend.

Whatever Society people chance to be Members of, whether it be their Native, or any other, they are, during their stay, equally obliged, for the sake of the protection they receive, to Pay Allegiance to the Governors of that Society. It is not material, whether they enjoy Properties for their lives, years, weeks, or days, the greatest part of the Natives have no more Properties, or enjoy no greater Advantages by the Government, than Foreigners, yet they are obliged to pay the same Allegiance the rest of the Society do.

But here it may be objected, That there is a natural Allegiance due to the Governors of the first Society Men are of, (which cannot be due to any other) without whose consent they cannot leave the Society, and when abroad, are obliged, when they command them, to return.

Man

Man being born free, (that distinction of legal and natural Allegiance being wholly groundless) is still Master of all that Liberty he has not parted with; and if the Laws of the first Society, to which he has consented, by being a Member of it, have not obliged him not to leave the Society without the consent of the Governor, he is at liberty to transport himself into what Countrey he pleaseth, and to stay in it as long as he pleaseth. It is for the interest of Mankind that they should not be debarred the liberty of living where it is most for their interest; and because Nations could not maintain any Trade or Commerce one with another, if people that went from one Countrey to another, had not a power to return when they had a mind to it; that Liberty, by the Law of Nations, is equally allowed to all: They, it is true, who have left a Countrey, whether it was that they were born in, or any other, yet as long as they enjoy any Property in it, are obliged, if they intend to save their Property, to leave all other Countreys, when commanded. Men oftner having Properties in their Native, than in any other Countrey, has given occasion to some to conclude, That there was a natural obligation on them to return, when commanded: But there can be no reason assigned from Nature, why more Allegiance should be due to the Governors of that Countrey in which they were born, than to the Governors of that Countrey they afterwards voluntarily go into; where for the Protection they receive, they are obliged to pay the same Allegiance as they did when they were in their Native Countrey. And if a Foreign Prince should get the power of protecting them in their Native Countrey, they would be obliged to pay him the same allegiance, as they did when they were under his protection in another Countrey: Because in each Countrey the protection is the same.

Though they that reside in a Foreign Society, are equally subject with the Natives, to the Laws of it; and by opposing the Government, would be equally guilty of Treason; yet if during their stay, any alteration happens in the Government, contrary to the Laws, they never scruple to pay allegiance to him that gets possession of the Government, though his Title be never so illegal. I see no reason why they should not do the same in their first Society, since whatever Society they are in, during their stay, they are equally obliged to obey the Laws of that Society.

Are not these Reasons as strong for paying allegiance to the present Government? Can any man enjoy the Priviledges of the Society,

without being a Member of the Society? or can any one be a Member of a Society, without owning the Head of it, or paying their allegiance to him? or is there any other Head that rules and governs the Members, but the preſent King? Is it not by his Authority, that the Members of the Society receive an univerſal Protection, as to their Lives, Liberties and Eſtates, under whoſe Government they are, or elſe they are under none, but in the ſtate of Nature? And there is no Reaſon, or Law, to oblige people to remain in a ſtate ſo inconſiſtent with their happineſs. And it would be injuſtice for any to remain in that ſtate, becauſe they would be their own Judges in all the Diſputes they had with others, who were willing to refer their Differences to a ſtanding impartial Judge; nor have any been guilty of it, but all, not excepting the *Jacobites*, by making uſe of the protection of the Government, have left the ſtate of Nature, and have owned themſelves ſubject to it. After this, what pretence *can* any Member of the Society have of refuſing to pay their allegiance to a King, whom they have all along by their actions owned, and by whom they have been ſecured from groaning under the worſt of Slaveries, which had been to them the more intolerable, becauſe of the great liberty and freedom they before enjoyed; ſo that all the Reaſons that can well be imagined to oblige people firmly and intirely to any Sovereign, do all conſpire to tie them up in the ſtrongeſt bonds of allegiance and fidelity to the preſent King and Queen.

By what hath been ſaid, I think it is evident, how abſolutely neceſſary it is for the good of Mankind to ſubmit to thoſe perſons that are capable of protecting them, and that applying to them for protection, is acknowledging their Government, and Authority, and that the *Jacobites*, in uſing the protection of the Government, and at the ſame time oppoſing it, as far as they dare, act baſely, treacherouſly, ungratefully and inconſiſtently.

But they that oppoſe the Government, after they have ſworn to be true to it, break all Tyes both Sacred and Civil; for if neither their Oaths, nor the good of the Society they pretend to be Members of, nor the duty they owe the Government for protecting them, can oblige them; no bonds whatever (for theſe are the moſt inviolable) can hold them: How can any Prince, or private perſon, truſt them, ſince they have deſtroyed all manner of ſecurity, truſt, and confidence men have in one another? All the anſwer to this is (I mean of the *Non-ſwearers*, for the others are not capable of giving any) That they act upon the preſumed conſent of the

the *said Prince*, who (they suppose) is willing, that they should obey the present Government in all things which are for the good of the Society, and their own preservation, provided it be not contrary to his Interest. Which answer is not at all to the purpose, because it supposeth they are still obliged to disturb the publick Peace, and raise Civil Commotions for his interest, and not to own the present Government, though it should be absolutely necessary for their preservation.

Can any Civil Society be preserved, if private Men are obliged not to obey those that actually Govern it, except they think it for the interest of a person who is a declared Enemy to the Society? and when every thing that tends to the support and advantage of the Society, because it makes the present Government more potent, must be against his interest? What if the late King has no other way to regain his Throne but by the Ruin and Confusion of the Nation? must the *Jacobites* assist him in Ruining the Nation? as it is plain by their Principles they are obliged to do; for if once they think that they are obliged to act against the good of the Society by raising a Civil War, it is certain there is no mischief, provided it be for his interest, that they ought to stop at. And it is plain by their rejoycing at any publick Calamity that happens to the Nation, that they are ready if they thought it at present for his interest, to fire all the Towns in *England*, or act any more horrid Villany. But if they disown these Principles, and say they are obliged to act for the preservation and good of the Community contrary to his Interest and Consent, then they are obliged to obey the present Government, because that is for the good of the Community, and for the safety of particular persons, who if they have the Late king's Consent to do such acts as necessarily infer the owning the authority of the Government, they have his Consent to own and obey the Government. And then according to their own Principles, they can have no pretence of denying allegiance to it. If such acts do not amount to an owning the authority of the Government, then most people never owned the Late King's authority, because they owned it no other way then by receiving protection from him.

It is strange that not only those that receive protection from the Government, but even those that have thrust themselves into places of the greatest Trust, and consequently have the greatest Obligation to bear true allegiance to Their Majesties, should not

they

they have no Right to it; and the greateſt Compliment they can give them, is, That they are King and Queen *de Facto*; which in other words is calling them Uſurpers; and is, even whilſt they are their Servants, owning themſelves Subjects of the Late King. Men of ſuch Principles cannot accept of Places of Truſt, but for very baſe ends; for they muſt either deſign to act againſt their Conſciences in acting againſt the intereſt of him they eſteem their Lawful and Rightful King, or elſe they muſt deſign to betray their Truſt in acting for his intereſt; which, when it is their own intereſt too, and they may have what Price they demand for betraying their Truſt, there can be no doubt but they will endeavour to ſerve him who they think has the Right Title to their allegiance. The fatal conſequences that have happened to the Nation upon truſting men of thoſe Principles, have too well demonſtrated the truth of it. But to return,

If doing all thoſe acts the Male-contents do in order to the ſecuring their Perſons and Properties, be not owning themſelves Subjects of the Government, there was no reaſon for Mankind to have ſubmitted to, and owned any Government; ſince according to their Principles they could have all manner of protection and defence without any Government; becauſe they (as they pretend) enjoy protection from the Government without owning its authority over them, or any duty in them to obey.

CHAP. XI.

Of Oaths of Fidelity.

PErhaps it will be ſaid, *Tho upon ſuppoſition that there is no reaſon why people ſhould pay Allegiance any longer than they are protected, yet if they have otherwiſe tyed themſelves by their Oaths, they are in Conſcience obliged by thoſe Oaths.* But I anſwer,

Such Oaths (if ever ſuch were impoſed) would be ſo far from binding, that they would be null upon the account of the ſinfulneſs of them, as being directly againſt the good of human Societies. In all Promiſes and all Oaths concerning things that are

not

not Moral, this tacite condition is always included, of their not being, or upon alteration of the Circumſtances becoming contrary to the publick Good; and this is without all doubt to be obſerved about Government, becauſe it was inſtituted for no other reaſon but for the publick Good.

Oaths do not alter the nature of allegiance, or make it due where it was not before, or any ways extend it, but only add a new tye to pay that allegiance which is due upon the account of protection; he that lives under a Government, though he has not Sworn to it, owes it the ſame allegiance as he that has; and if he ſhould deny his allegiance to it, would be equally guilty of Treaſon, though not of Perjury. It is evident by the univerſal practice of Mankind, that no Subjects ever thought themſelves obliged by their Oaths of Fidelity, which Governments have conſtantly impoſed on them, when they ceaſed to be protected by them. The Legiſlative power, eſpecially where the people have a ſhare in it, are preſumed to recede as little as poſſible from natural equity, and to deſign by impoſing ſuch Oaths, the good and preſervation of the Society; whoſe intereſt it is, that they that have the publick Adminiſtration of affairs ſhould not be diſturbed. But it is not at all material whether this or that man, provided they are well managed, has the direction of them: Nor can it without the greateſt abſurdity be ſuppoſed, that ſuch numbers of men as Societies are compoſed of, who are by nature equal, ſhould oblige themſelves by the moſt ſolemn Tyes to become moſt miſerable, by living without protection; nay, to loſe even their lives rather than own the Government that can protect them, for no other reaſon, but barely an extraordinary fondneſs to one of their Number, to give him, not the Neceſſaries or real Conveniences of Life, but only an Office (for Government is no other); which is but an imaginary happineſs; for if Government were a real happineſs to the Perſons that poſſeſs it, ſeveral upon their parting with it would not have found themſelves happier then before. That people ſhould be true to thoſe that have the adminiſtration of Civil affairs, is all that Oaths of Fidelity require: and it is evident by the words of it, that the late Oath of Allegiance required no more, and to extend it further then the King in Poſſeſſion, is not reconcileable with the reaſon, end, and deſign of paying obedience; which is the peace and happineſs of the Society, which can never be maintained if people may, for the ſake of a ſingle

perſon,

perſon, diſturb him that has the Adminiſtration of their common affairs; and it would require impoſſibilities, becauſe a private perſon is incapable of paying allegiance to a King when out of poſſeſſion of the Government.

CHAP. XII.

Of the Act of Parliament of the 11 *of* Hen. 7.

BEſides no Act of Parliament ought to be ſo interpreted, as by bare implication to deſtroy a former Act, as ſuch an interpretation would the Eleventh of *Hen.* 7. Chap. 1. a Law ſtill in force, which does declare, *It is againſt all Law, Reaſon, and Conſcience, that Subjects,* &c. *any thing ſhould loſe or forfeit for doing their Duty and Service of Allegiance. Be it Enacted,* &c. *That no perſon that attends upon the King and Sovereign Lord for the time being, and does him true and faithful Service of Allegiance,* &c. *ſhall not anywiſe be moleſted.* What can be plainer then that it is the duty of every Subject to bear true faith and allegiance to the King in being? And to encourage them in their duty, the Laws does ſecure them from any manner of Moleſtation for the time to come, and declares it againſt all Law, Reaſon, and Conſcience that any ſhould ſuffer upon that account.

The people would be in a moſt miſerable condition, ſhould they be in danger of being Hang'd for not obeying the King in being, or for obeying him, to be puniſhed by the ſucceeding Kings as Traitors.

The endleſs quarrels, almoſt to the utter Ruin of the Nation, between the Houſes of *York* and *Lancaſter*, made the neceſſity of ſuch a Law very evident: Tho this then was no new Law but only declarative of the ancient Law (for they ſuppoſed it before to be againſt all Law, as well as Reaſon and Conſcience, that, *&c.*) By which Law it is plain, that a King in poſſeſſion has the ſame Right to the Peoples allegiance, as any King whatever; becauſe no King has any other then a Legal Right to the peoples obedience, which this Law declareth is the Right of all that are in poſſeſſion of the Government. And accordingly it has been the opinion of the

Lawyers,

Lawyers, that Treason cannot be committed but against a King in possession, and there can be no Treason committed but against him to whom allegiance is due; and Acts of Parliament made in the Reigns of such Kings (though not confirmed by succeeding Kings) are valid, and oblige the Subjects, as much as those made by such as are usually call'd Legal Kings.

But it may be Objected, *That if they who were instrumental in a Rebellion, may not endeavour to restore their Legal Prince, they put themselves out of a possibility of making restitution.*

Answ. Those that unjustly deprive a King of his Crown, ought no doubt to Restore him; but if another has got possession of the Government, by what has been said, I think it is plain they ought to obey him. There can be no dispute, but they that were no way instrumental in the Revolution, but did their Duty in Defending him in the possession of his Crown, were free from any obligation as to him, when he had lost the power of protecting them; and were bound for the sake of their own preservation to pay allegiance to him from whom they received protection, and obliged to defend him to the utmost; but if the rest of the Society who receive protection from him are obliged to oppose him, then the Society must be divided, and of necessity run into Civil Wars, which is against the nature of Civil Societies, and inconsistent with the duty of self-preservation, which obligeth men not to expose their lives but to obtain a greater good than their lives, which can only be the publick Good, not the single Interest of any one person.

They that were instrumental in raising a Rebellion, were no doubt guilty of a very enormous crime, but that which made it so, was not barely the injury they committed against the Prince (to whom, if alone considered, the breach of a promise in refusing to pay obedience to him, could be no greater crime than a breach of a promise to another person) but the fatal mischief & irreparable damage they did the Commonwealth: And a new Commotion, in all probability, would be more destructive; and a Nation by being so much weakned by the former, would be less able to bear a new War. It is a greater sin, if the persons themselves are only considered, to take away the life, of one man, than to deprive another of any worldly advantage; it is only the publick that makes it otherwise, but the publick in both cases is equally concerned, and the consequences may be as fatal in disturbing the Usurper's Government, as that of a Legal Prince. That which makes the

Crime of Rebellion of ſo deep a dye, is, becauſe Rebels put it out of their power to make reparation for all the miſery and deſtruction a Civil War creates; nor is endeavouring to bring the ſame Calamities upon a Nation, a proper way to make them amends. If there be no other way to make reparation to their injured King, but by engaging the Nation in Civil Wars, they ought not to attempt making him reparation by ſuch unlawful ways.

The not reſtoring a Perſon to the Crown that he is unjuſtly deprived of, can only be conſidered, when the publick is no longer concerned in his Actions, and the Affairs of the Nation are managed by other hands, as an injury to a ſingle perſon, and the greatneſs of the injury, is to be judged not by the value of the thing it ſelf, but what he that is unjuſtly deprived of it, ſuffers by the loſs of it. What is abſolutely neceſſary for the ſubſiſtence of one perſon may be but ſuperfluities to another; and as the Widows Mites were greater Charity than what the Rich out of their Abundance gave; ſo the Robbing her of them, becauſe ſhe could leſs ſpare them, would have been a greater injury, and conſequently a greater ſin, than Robbing a Rich man, that could better ſpare it, of a thouſand times as much.

Tyrants, it is true, rob great numbers of the conveniences, and very often of the neceſſaries of Life; but Uſurpers only hinder ſingle perſons from enjoying, not the neceſſaries or conveniences of Life, but Superfluities, becauſe all the neceſſaries, and even conveniences of life, can be had without a Crown. Yet the Uſurpers, without all diſpute, if they can without any injury to the publick, ought to reſtore the Government to thoſe from whom they do unjuſtly wreſt it; but if they do not, Subjects for the ſake of Government, to which Sacred Ordinance, Obedienc by God himſelf, as well as man is annexed, ought to ſubmit. Chriſt and his Apoſtles make no diſtinction, but command Obedience to all in poſſeſſion, by annexing God's Authority to the Office of Governing.

CHAP.

CHAP. XIII.

Of Proofs of Scripture concerning Obedience to those that actually Administer Government.

CHRIST in the Directions he gave, *Mat.* 23. to his Disciples, and to the multitude about their Behaviour to the *Scribes* and *Pharisees*, requires Obedience to be paid them only upon the account of Possession; saying, *The Scribes and Pharisees sit in Moses's seat, all therefore whatsoever they bid you observe, that observe and do:* and gives no other reason for this great Obedience in doing and observing whatever they command, but because they sat in *Moses's* seat; that is, were possessed of *Moses's* Authority, who in the *Theocracy* was the Chief Magistrate. Not that the *Scribes* and *Pharisees* had so great a power as *Moses*, but as far as they did enjoy his Seat, Throne, and Authority, so far they were to be Obeyed: They were then the greatest, as well as chiefest part of the grand *Sanhedrin*, which in all causes where the *Romans* had left the *Jews* to their Liberty, had the Supreme Power both in Civil and Ecclesiastical matters. (There were not in the *Jewish* Republick two distinct independant Powers, one for Civil, another for Ecclesiastical Causes). If the people were then obliged to pay so great Obedience, barely upon the account of Possession, why may not the same direction serve for a standing rule to the multitude in all times? And not only to the Inferiors, but even to the Supreme Magistrate himself *Christ* requires Obedience upon no other account but that of possession. If *Cæsar* be in possession of the Empire, as it did appear by his Coining of Money and Stamping his Image upon it, that being a mark of Sovereignty and Empire, but not of any Legal Title to it; then *Cæsar* is to have Tribute and all other parts of Allegiance paid him.

And St. *Paul* in expres terms requires Obedience to *the powers that be*, and declares there is no Power but what is from God. The *Jews* being influenced by the Priests and *Pharisees*, who because they were obliged by their Law to place no Stranger over them, scrupled to pay obedience to the *Roman* Emperors, because they were Strangers and not capable of a Legal Right, not considering the Law did not oblige them but when it was in their

own choice, and not when they were under the power of the *Romans*, to whom for the ſake of protection they were obliged to pay obedience; St. *Paul*, to take away theſe ſcruples, aſſures them all Powers are from God. If St. *Paul* had only meant Legal Powers, ſince none but *Jews* were capable of being ſuch, he had confirmed the *Jews* in their Error. But the reaſon why St. *Paul* obliges men to ſubmit, will demonſtrate that all *actual Rulers* are meant and none but they, becauſe they alone are a Terror to evil works, and a Praiſe to the good, none but the *actual Ruler is a Miniſter of God, a Revenger to execute wrath upon him that does evil, or a Miniſter of God for good.* What can more fully demonſtrate that the reaſon of obedience is for the benefits men receive by Government? And what makes the Crime of Reſiſting them ſo great, is, becauſe men Oppoſe thoſe by whom they receive ſo many advantages? It is becauſe they have the power of the Sword (which includeth all manner of Puniſhment) by which they ſecure and protect their Subjects from all manner of injury and violence of ill men; and being Miniſters of God for good, includeth all the good they receive both to their Perſons and Properties; *for which cauſe you pay tribute alſo, for they are God's miniſters continually attending upon this very thing.* It is their diſpenſing theſe advantages to Mankind, that makes them God's Miniſters and God's Ordinance (the Scripture affirming thoſe things that are neceſſary for the good of Mankind to come from God, as plowing and ſowing, *Iſaiah* 28. from Verſe the 23*d.* to the 29*th.*) If it once be known (as the diſcovery cannot be difficult) who it is that beareth the Sword, who adminiſters Juſtice, who Rewards, and who Puniſheth; if the Apoſtle's word is to be taken, ſubjection is not only due to him for Wrath, but for Conſcience-ſake: and the ſame Apoſtle exhorts, That *prayers be made for Kings, and all in Authority, that we may lead a quiet and peaceable life in all godlineſs and honeſty.* Theſe reaſons can only concern thoſe that have *actual* Power and Authority, by whoſe protection thoſe that live under them may lead ſuch lives; and if it be our duty to pray that we may lead ſuch Lives, it muſt be our duty to enable them that have Authority over us, to ſecure us in the enjoyment of a quiet and peaceable Life. Do the Principles or Practices of the *Jacobites* ſuit with this Doctrine? who inſtead of Praying for thoſe in Authority, make it their buſineſs by oppoſing them, to deſtroy not only our Quiet and Peace, and even all Godlineſs and Honeſty too,

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by endeavouring to set up again a Popish Governor, and by consequence, to introduce a Religion, whose Principles are destructive of true Godliness and Honesty, as well as the Peace and Quiet of the Professors of them. And St. *Peter* for the same reason requires people to submit to the Supream Magistrate, whom he calls the Ordinance of Man; so that it is plain, that God by approving this Human Ordinance, approves it as Human, and requires obedience to it for the same Reasons that men at first instituted it. And it is the power Governors have to do Good that makes them to be not only God's Ordinance, and God's Ministers, but even *Gods*; for since they are not Gods by nature, (tho by some peoples arguing one would suppose they thought them such, or at least Beings in themselves superior to the rest of Mankind) it must be for the protection they afford, that they are termed so; who when they do no longer protect the people, cease to be a *Human* Ordinance, and then too they cease to be a *Divine* one: And the same Reasons that obliges people to submit to them, when they act for the good of the Society, does as much oblige people to oppose them, if they design to ruin and destroy them. It cannot well be supposed, that God who has obliged Mankind to preserve their lives, and consequently to use the means that are necessary for that end, should require People to suffer themselves to be destroyed, to gratify the Lust, or Barbarity of a single Person, or a few; who are by Nature but their Equals, and only above them by being in an Office which they erected only for their Convenience.

Obj. *St.* Paul *makes no manner of exception, but declareth*, Whosoever resists shall receive damnation.

Ans. The Apostle requireth obedience to Parents in all things; so he requireth obedience to Masters, Husbands, Pastors, without mentioning any Exceptions; so here the Apostle (which was sufficient for his purpose) declareth all people ought to obey the Supream Powers, without mentioning this exception, which from the nature, end, and design of Government, and even from those Reasons which he gives for Obedience, does necessarily flow.

It cannot be presumed that Christ gave Authority to his Apostles to make Slaves of Mankind, by giving the Emperors a new Power, who before by no Law of God or Nature had such a power over peoples lives. All the Power the *Roman* Government had, was immediately from the people; who, as it is plain in History, by their mutual Consent erected that Commonwealth; and what power the Emperors had, was given them too by the people, who by the *Lex Regia* conferred it upon them.

All

All that can be deduced from Scripture, is, That obedience is due to those that protect the people; and nothing can be plainer than those Texts which require it: By which plain and ignorant people may know their duty, as well as the learned and wise. It would have been inconsistent with the Goodness of God to have required obedience on the greatest penalties, and yet leave it so uncertain, as the *Jacobitish* Principles would render it, to whom obedience is to be paid. What can be more uncertain than generally Titles are? And are there not innumerable intricate difficulties, about long Possession, presumed Consent, a just cause for a total Conquest, &c. If about these Points the Learned do so extreamly differ, as any one may perceive, that gives himself the trouble to examine what Authors have writ upon it, who give good Reasons for destroying one another's Hypothesis, but none for confirming their own, but what are liable to equal Exceptions; what means or possibility have almost all Mankind, the unlearned and common people, of knowing their duty?

But it may be objected, *Though the common people should be mistaken, invincible Ignorance will excuse them.*

Ans. Not to dispute how far such Ignorance will excuse them; I am sure it is inconsistent with the Infinite Wisdom of God, to give such Rules, as almost all Mankind are utterly uncapable of understanding, or guiding their Actions by. But whoever considereth these Texts of Scripture, will see the falseness of such impious Reflections, and must admire the Goodness of God in laying down Rules so plain, that a well-meaning man cannot mistake them: But if men will be wiser than God himself, and not be content with those Laws he prescribes them, but will invent new Rules, and new ways; or by following the Tradition of the *Jewish* Priests, will disturb the peace and quiet of Human Societies, by opposing the Powers that be: If by so doing they incur the severest Punishments here, as well as Eternal Torments hereafter, with those damned ill-natured Spirits, the grand Enemies of Mankind, who at first possessed men with these Maxims so pernicious to Human Societies, they must thank themselves, and their too great Subtilty.

The Primitive Christians all along complied with the Revolution of the Empire, and whoever was in possession of it, without examing his Title, paid him allegiance, and thought him invested with God's Authority: And as the *Goths* and *Vandals*, and other barbarous Nations on one hand, and the *Saracens*, *Turks* and *Persians* on the other, without any just cause overturn'd the *Roman* Empire; the

Christians

Christians were so far from disputing their Titles, or refusing to transfer their Allegiance to them, that they never scrupled to own their Government. If these Pharisaical Notions had then been believed, or practised, those Nations would have extirpated all the Professors of Christianity as Enemies to Government and Order, instead of being converted to their Religion, as most of the Northern Nations were. Nor do the Christians, that now live under the Dominions of the Infidels, vary from this Primitive Practice, or scruple to transfer their Allegiance to any that gets possession of the Sacred Office of Governing, tho the Legal Prince be still alive. Did not the *Jews*, though they were commanded by a Divine Law to take a King from amongst their Brethren, and God himself had intailed the Crown on the Posterity of *David*, practice the same, as they fell under the power of the four great Empires? And did they not submit to *Alexander* without endeavouring to oppose him, when *Darius*, to whom they had sworn obedience, could no longer protect them?

I shall add but one Instance more, and that shall be of *David*, who thought it not unlawful, when *Saul* designed to take away his life, to transfer his Allegiance, and fly to *Achish* King of *Gath* for protection, who made him Keeper of his Head, or Captain of his Guard; and whilst he was under his protection, he thought it his duty to pay all manner of Allegiance to him; and (tho contrary to his Interest, and the hopes he had of being King after *Saul*'s death) even to join with the Uncircumcised to invade his own Country, and to fight against the Lord's Anointed, his late King and Father-in-law; and as appeareth by the 1 *Sam.* 29. 8. was much grieved, and humbly expostulateth with the King for not permitting him to attend him in the Battel; *But what have I done? or what hast thou found in thy servant, so long as I have been with thee unto this day, that I may not go and fight against the enemies of my Lord the King?* *Saul* by designing to destroy *David*, had freed him from the Allegiance he owed him; for he that designs to destroy a person, cannot have a mind to govern that person he designs to destroy; and if he will not govern him, he is free from his Government, and at liberty to pay his Allegiance where he thinks best. And if *David* expected from the King of *Gath* an universal protection from all his Enemies, he ought to pay the King an universal obedience.

If a private person be free from the Government that designs to destroy him, the Argument will hold as strongly in behalf of a Nation that is designed to be destroyed; and whoever attempts it,

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does not only renounce the Government of the Nation, but puts himself in a ſtate of War, and declares himſelf an utter Enemy to them, who are as much obliged to reſiſt him, as they are any other Enemy.

Upon this Head the *Jews*, in the time of the *Maccabees*, took up Arms againſt their Legal King *Antiochus*, (whom they all along acknowledged as ſuch, and who was Succeſſor to *Alexander*, who had the ſame right to their obedience as the *Perſians* or *Aſſyrians* had,) who was reſolved to extirpate them if they would not turn Idolaters. And it is manifeſt, that God by the miraculous aſſiſtance he gave them (for what they did, muſt be imputed to more than Human Force) did approve of their deſign. And the ſame Reaſons will juſtify any Nation for oppoſing that Prince, that does endeavour upon a religious, or any other acount to deſtroy them.

By what hath been ſaid, I hope it is plain, that by the poſitive Law of God, by the Law of right Reaſon, by the Law of all Nations, and the univerſal practice of Mankind, and the expreſs Law of the Land, obedience is due to the King who does actually govern the people; and therefore to the preſent King and Queen, though they did not enjoy the Crown (vacant by the late King's Abdication) by any Legal Right, which Right I think has been ſufficiently demonſtrated by thoſe that have writ on that Subject, at leaſt to Lawyers, and men that are competent Judges in ſuch Points, of which a great many are no more competent Judges, than they are of Mathematical Demonſtrations, which are nevertheleſs Demonſtrations; but none can be miſtaken who they are that do actually govern the Nation; and if obedience for that reaſon be due to them, other inquiries are needleſs.

Therefore I ſhall only add, That nothing could be more Juſt, more Glorious, more Meritorious, than the Prince's coming over to reſcue three Nations from Slavery and Ruin, by obliging the Late King (which by all poſſible Ties he was bound to) to govern according to Law: To which he was ſo averſe, that he was reſolved not to govern at all, if he could not govern Arbitrarily; which when he plainly ſaw he could not effect, he threw up the Government: Which, whatever Force may be pretended, muſt be eſteemed a voluntary Action, becauſe he might have prevented it by governing according to Law; according to that known Axiom, *Involuntarium ex voluntario ortum habens moraliter pro voluntario habetur.*

The Throne being actually vacant by his deſerting it, What Reaſon

Reason could hinder the Prince from accepting what was his Right, when offered him by the Convention of the States of the Kingdom? Who, (when the Throne is *actually vacant*, and it is not clear whose Right it is) are, and have always been, the sole proper Judges to determine to whom it belongs; whose Judgments must give a Legal Right, because all Legal Rights are held by no other Tenure, than the Decree of the Supream Judges.

But supposing the King had no Legal Right, and that the Convention were not Legal Judges; yet if they were chosen by the Nation, to determin, upon the late King's leaving it, what was necessary to be done for the preservation of the Nation, is being necessary that somewhat should be resolved on; that necessity would give them a sufficient Right to do whatever they found necessary for the preservation of the Nation: Because no Nation can be brought to that condition, but it must have a Right to act for its own safety, which it cannot do, if it have not a Right to appoint Judges to determine what is to be done, and oblige particular persons to stand to their Determinations.

And the Convention ought, if they thought it (of which they were appointed the Judges) for the safety of the Nation, wholly to exclude the Late King. And why might they not, if they thought the Nation could not be safe if he should return, be wholly against his return, as well as the *Jacobites* themselves (for there were none of another Opinion then) be against his return, but upon such Terms, and Conditions, as they thought necessary for the safety of the Nation? And the same necessity that will justify the Late Archbishop for consenting to put the Soveraign Administration of Affairs into the Prince's hands, will justify the Convention for continuing it in the hands of the King, who alone could secure the Nation; and who had saved them before he ruled them, and to whom it was owing that they could call any thing (even their Lives) their own. Which, if it be not the best Title to a Crown, yet at least is the best Title to Peoples Hearts and Affections, when he is possest of it; especially when the chief advantage he gains by it, is but to expose his Sacred Person for the Security of the Nation: And the enlarging his Empire has only encreased his Cares and Concerns for the Safety of those he governs: And all the satisfaction he reaps (which to a God-like Mind is the greatest) is the power to oblige, and to do good. The Nation is happy in having a King whom they can trust; not only because his Interest is the same with theirs, but because, as

all the Actions of his Life have demonstrated, no Consideration of his own could ever divert him from acting what was best for the Cause he was engaged in; and who is as famous for being true and just to his Word, as his Enemies are infamous for breaking their most Sacred Oaths, and Solemn Leagues. In a word, He is a Prince that has the Vertue, the Fidelity, the Integrity of *Cato*, as well as the Bravery, the Courage, and Conduct of *Cæsar*. Never did the happiness of the best part of Mankind depend more upon a single Life, than now: Nations of Religions, and all things else, different, do unanimously agree in acknowledging him to be their chief Support, the Head, the Heart, the Hand of the Confederacy; and to him they confess that it is owing, that the Chains that have been ready to fetter *Europe*, have been more than once broken. To be the Preserver of *Europe*, is a much more glorious Title, than to be the *Conqueror* of it: To which may be added, the most excellent of all Titles, *The Defender of the Faith*; which (tho others have claimed of course) he best deserves; since to him it is owing that the true Faith is publickly professed any where, and in these Nations (which is a Blessing cannot be bought too dear) without Cruelty or Persecution; *For a Nation is constantly in a state of war within it self, where one Party is persecuting and ruining another, about things which are in themselves indifferent, and no ways tend to promote the Publick Good.* In short, There can be no advantage, but what the Nation may justly expect from a King so zealous to promote their Good, and so able to perform what he undertakes.

CHAP. XIV.

Some Considerations touching the Present Affairs.

BUT it may be objected, *How can the Nation propose any happiness to themselves by this Revolution, since by it they are in so great Expences to maintain a War against so powerful an Enemy?* *Answ.* The more powerful the Enemy is, the greater was the necessity of this Revolution: for if now the Confederates are scarce an equal match for *France*, how easily would they have been over-run, if *England* (which is the most favourable that could

have been expected) had stood Neuter? And when they had been subdued, what could have hindred the *French* King, being then so Potent both by Sea and Land, from Conquering this Island? What opposition could the Militia, joyned with a few raw and unexperienced Troops, (for it is this War has made them otherwise) tho headed by a Commander of so invincible Courage as the Late King, make against his regular and numerous Troops? But suppose the *French* King, who is so famous for keeping his Royal word, would not have Conquered *England* when he might; what could have hindred the Late King, assisted by *France*, from using this Nation as his Cruelty, Covetousness, Bigotry, or *Jesuits*, could have inspired him? The *French* King, had he been defective in so fundamental a point of Religion, would have obliged him, as he did the Duke of *Savoy*, to have Extirpated all the Hereticks. *England* would have been perhaps by this time a rendezvouz of *French* and *Irish* Apostolick Dragoons, or what is worse, a nest of Priests and Jesuits. And what milder usage can the Nation expect, if the Late King, who is under such obligation to *France*, and incensed by (as he thinks) ill Treatment, should return? Ought not they, except they are ambitious of being Roasted by a *Smithfield* Fire, or are in love with the manly exercise of Rowing in the Gallies, to do their utmost endeavour to stop the farther Progress of *France*? which only prevails because their Armies are more numerous? If there were more Forces raised (the Nation is so far from wanting men, that it can spare about Thirty thousand by easing the Parishes of those Idle People who are burthensom to them) sufficient to equal those of the *French*; there is no reason to doubt but the *English* would beat them, as they have always done, when the Numbers have been any thing near equal, and force them to quit other places as shamefully as they did *Ireland*.

The misfortune is not, that we have now a War with *France*, but that it was so long delayed; and whatever the Nation now suffers, they wholly owe it to the Two Late Kings, who instead of hindring, when they might, the growing greatness of *France*, did under-hand assist and contribute, as far as they durst, to increase the exorbitant Power of that Kingdom. Though the Charges of the War, it is true, are burthensome, yet they are common to almost all *Europe*; nor are they so great as some people represent them, since it does cause little or no alteration in Peoples way of Living; the same excess in Apparel, and every thing else,

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and the Interest of Money being as low as ever, (at least it would be so, did not the King's taking up such large Sums at so great an Interest, raise the Interest of Money even amongst others) are a demonstration of its plenty: And the Native Commodities of the Countrey bearing a much better Price than formerly, chiefly by reason so much is taken up for the King's use upon account of the Army or Fleet, must more than repay the Countrey for what it contributes to the War. The Taxes themselves are not so much a burden, as the unequal way of raising them, and obliging people to pay so much Money at one time; which cannot well be prevented but by an Excise, which would make them so easy, and so equal, that they would hardly be felt. But if they were more burthensome then they are, then paying of them for some time is absolutely necessary to preserve their All for ever.

In the Primitive times, the Christians (especially the Clergy) would not only dispose of their own [illegible] ted to Pious Uses, and sell the Plate [illegible] to redeem a Soul from Slavery: Why should they not be now as Zealous to secure Millions of Souls, Three Nations, and their Posterity, from a Bondage both Spiritual and Temporal worse than *Egyptian*, or at least encourage people by their precept and example freely to contribute to a War upon which depends the safety of the Church as well as State; a War so holy, that if the Cause alone could make them Martyrs, all that dye in it are such.

But to conclude, I hope, I have demonstrated, That it is the duty of all People to bear true Faith and Allegiance to the present Government, by Reasons and Arguments which are as firm as Government it self, and which will endure as long as it, because built upon the same foundation, *The Good of Societies*; and which may serve for directions in all Changes and Revolutions, as well as for the justification of that happy one, which (by the Blessing of God upon His Majesties Heroick Endeavours) preserves us in the enjoyment of all our Happiness both Spiritual and Temporal.

FINIS.

as juſt a right as any of the Inhabitants, to a ſhare in the Land; if this were injuſtice in him, why would it not be ſo in one that is born in that Countrey? What Right can he, that comes from no other place, but from Nothing, pretend to, more than he that firſt came from another Countrey. If a Countrey be wholly poſſeſſed, and occupied, (which by the Law of Nature, antecedent to all Human Laws, gives a right) by being improved and cultivated by the labour and induſtry of the Inhabitants, who are ſo very numerous, that the Land does not produce without vaſt labour, ſufficient to maintain them, what right can any that comes into this Countrey, either by being born in it, or any other way, have to their labour, by uſurping any part of this Land, which was long ſince poſſeſſed, and divided amongſt the the Inhabitants, who having a full power over their own Properties, might ſubject them to what Laws they pleaſed, (and which the Legiſlative Power may ſtill continue) and permit none to have a right to them, or enjoy any advantages by them, or ſo much as to be in the Countrey without owning the Government of it? And it is highly reaſonable that no Government ſhould ſuffer any to remain in its Dominions, who will not own its Authority, or be ſubject to the Laws of the Countrey. If it were unjuſt, before Lands were divided, to have robbed any one of the Fruits of the Earth, that he by gathering had made his property, why ſhould it not be as much injuſtice to ſeize upon that Land, which is now as much another's Property, as the gathered Fruits were then? But I ſhall ſpeak no more upon this Subject, becauſe it is, in his Eſſay of Government, ſo fully handled by that wonderfully Ingenious, and Judicious Author, whoſe Works of all ſorts one cannot enough commend.

Whatever Society people chance to be Members of, whether it be their Native, or any other, they are, during their ſtay, equally obliged, for the ſake of the protection they receive, to Pay Allegiance to the Governors of that Society. It is not material, whether they enjoy Properties for their lives, years, weeks, or days, the greateſt part of the Natives have no more Properties, or enjoy no greater Advantages by the Government, than Foreigners, yet they are obliged to pay the ſame Allegiance the reſt of the Society do.

But here it may be objected, That there is a natural Allegiance due to the Governors of the firſt Society Men are of, (which cannot be due to any other) without whoſe conſent they cannot leave the Society, and when abroad, are obliged, when they command them, to return.

Man

Man being born free, (that diſtinction of legal and natural Allegiance being wholly groundleſs) is ſtill Maſter of all that Liberty he has not parted with; and if the Laws of the firſt Society, to which he has conſented, by being a Member of it, have not obliged him not to leave the Society without the conſent of the Governor, he is at liberty to tranſport himſelf into what Countrey he pleaſeth, and to ſtay in it as long as he pleaſeth. It is for the intereſt of Mankind that they ſhould not be debarred the liberty of living where it is moſt for their intereſt; and becauſe Nations could not maintain any Trade or Commerce one with another, if people that went from one Countrey to another, had not a power to return when they had a mind to it; that Liberty, by the Law of Nations, is equally allowed to all: They, it is true, who have left a Countrey, whether it was that they were born in, or any other, yet as long as they enjoy any Property in it, are obliged, if they intend to ſave their Property, to leave all other Countreys, when commanded. Men oftner having Properties in their Native, than in any other Countrey, has given occaſion to ſome to conclude, That there was a natural obligation on them to return, when commanded: But there can be no reaſon aſſigned from Nature, why more Allegiance ſhould be due to the Governors of that Countrey in which they were born, than to the Governors of that Countrey they afterwards voluntarily go into; where for the Protection they receive, they are obliged to pay the ſame Allegiance as they did when they were in their Native Countrey. And if a Foreign Prince ſhould get the power of protecting them in their Native Countrey, they would be obliged to pay him the ſame allegiance, as they did when they were under his protection in another Countrey: Becauſe in each Countrey the protection is the ſame.

Though they that reſide in a Foreign Society, are equally ſubject with the Natives, to the Laws of it; and by oppoſing the Government, would be equally guilty of Treaſon; yet if during their ſtay, any alteration happens in the Government, contrary to the Laws, they never ſcruple to pay allegiance to him that gets poſſeſſion of the Government, though his Title be never ſo illegal. I ſee no reaſon why they ſhould not do the ſame in their firſt Society, ſince whatever Society they are in, during their ſtay, they are equally obliged to obey the Laws of that Society.

Are not theſe Reaſons as ſtrong for paying allegiance to the preſent Government? Can any man enjoy the Priviledges of the Society,

without being a Member of the Society? or can any one be a Member of a Society, without owning the Head of it, or paying their allegiance to him? or is there any other Head that rules and governs the Members, but the preſent King? Is it not by his Authority, that the Members of the Society receive an univerſal Protection, as to their Lives, Liberties and Eſtates, under whoſe Government they are, or elſe they are under none, but in the ſtate of Nature? And there is no Reaſon, or Law, to oblige people to remain in a ſtate ſo inconſiſtent with their happineſs. And it would be injuſtice for any to remain in that ſtate, becauſe they would be their own Judges in all the Diſputes they had with others, who were willing to refer their Differences to a ſtanding impartial Judge; nor have any been guilty of it, but all, not excepting the *Jacobites*, by making uſe of the protection of the Government, have left the ſtate of Nature, and have owned themſelves ſubject to it. After this, what pretence *can* any Member of the Society have of refuſing to pay their allegiance to a King, whom they have all along by their actions owned, and by whom they have been ſecured from groaning under the worſt of Slaveries, which had been to them the more intolerable, becauſe of the great liberty and freedom they before enjoyed; ſo that all the Reaſons that can well be imagined to oblige people firmly and intirely to any Sovereign, do all conſpire to tie them up in the ſtrongeſt bonds of allegiance and fidelity to the preſent King and Queen.

By what hath been ſaid, I think it is evident, how abſolutely neceſſary it is for the good of Mankind to ſubmit to thoſe perſons that are capable of protecting them, and that applying to them for protection, is acknowledging their Government, and Authority, and that the *Jacobites*, in uſing the protection of the Government, and at the ſame time oppoſing it, as far as they dare, act baſely, treacherouſly, ungratefully and inconſiſtently.

But they that oppoſe the Government, after they have ſworn to be true to it, break all Tyes both Sacred and Civil; for if neither their Oaths, nor the good of the Society they pretend to be Members of, nor the duty they owe the Government for protecting them, can oblige them; no bonds whatever (for theſe are the moſt inviolable) can hold them: How can any Prince, or private perſon, truſt them, ſince they have deſtroyed all manner of ſecurity, truſt, and confidence men have in one another? All the anſwer to this is (I mean of the *Non-ſwearers*, for the others are not capable of giving any) That they act upon the preſumed conſent of the

the *outed Prince*, who (they suppose) is willing, that they should obey the present Government in all things which are for the good of the Society, and their own preservation, provided it be not contrary to his interest. Which answer is not at all to the purpose, because it supposeth they are still obliged to disturb the publick Peace, and raise Civil Commotions for his interest, and not to own the present Government, though it should be absolutely necessary for their preservation.

Can any Civil Society be preserved, if private Men are obliged not to obey those that actually Govern it, except they think it for the interest of a person who is a declared Enemy to the Society? and when every thing that tends to the support and advantage of the Society, because it makes the present Government more potent, must be against his interest? What if the late King has no other way to regain his Throne but by the Ruin and Confusion of the Nation? must the *Jacobites* assist him in Ruining the Nation? as it is plain by their Principles they are obliged to do; for if once they think that they are obliged to act against the good of the Society by raising a Civil War, it is certain there is no mischief, provided it be for his interest, that they ought to stop at. And it is plain by their rejoycing at any publick Calamity that happens to the Nation, that they are ready if they thought it at present for his interest, to fire all the Towns in *England*, or act any more horrid Villany. But if they disown these Principles, and say they are obliged to act for the preservation and good of the Community contrary to his Interest and Consent, then they are obliged to obey the present Government, because that is for the good of the Community, and for the safety of particular persons, who if they have the Late king's Consent to do such acts as necessarily infer the owning the authority of the Government, they have his Consent to own and obey the Government. And then according to their own Principles, they can have no pretence of denying allegiance to it. If such acts do not amount to an owning the authority of the Government, then most people never owned the Late King's authority, because they owned it no other way then by receiving protection from him.

It is strange that not only those that receive protection from the Government, but even those that have thrust themselves in to places of the greatest Trust, and consequently have the greatest Obligation to bear true allegiance to Their Majesties, should own

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they have no Right to it; and the greateſt Compliment they can give them, is, That they are King and Queen *de Facto*; which in other words is calling them Uſurpers; and is, even whilſt they are their Servants, owning themſelves Subjects of the Late King. Men of ſuch Principles cannot accept of Places of Truſt, but for verybaſe ends; for they muſt either deſign to act againſt their Conſciences in acting againſt the intereſt of him they eſteem their Lawful and Rightful King, or elſe they muſt deſign to betray their Truſt in acting for his intereſt; which, when it is their own intereſt too, and they may have what Price they demand for betraying their Truſt, there can be no doubt but they will endeavour to ſerve him who they think has the Right Title to their allegiance. The fatal conſequences that have happened to the Nation upon truſting men of thoſe Principles, have too well demonſtrated the truth of it. But to return,

If doing all thoſe acts the Male-contents do in order to the ſecuring their Perſons and Properties, be not owning themſelves Subjects of the Government, there was no reaſon for Mankind to have ſubmitted to, and owned any Government; ſince according to their Principles they could have all manner of protection and defence without any Government; becauſe they (as they pretend) enjoy protection from the Government without owning its authority over them, or any duty in them to obey.

CHAP. XI.

Of Oaths of Fidelity.

PErhaps it will be ſaid, *Tho upon ſuppoſition that there is no reaſon why people ſhould pay Allegiance any longer than they are protected, yet if they have otherwiſe tyed themſelves by their Oaths, they are in Conſcience obliged by thoſe Oaths.* But I anſwer,

Such Oaths (if ever ſuch were impoſed) would be ſo far from binding, that they would be null upon the account of the ſinfulneſs of them, as being directly againſt the good of human Societies. In all Promiſes and all Oaths concerning things that are

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not Moral, this tacite condition is always included, of their not being, or upon alteration of the Circumſtances becoming contrary to the publick Good; and this is without all doubt to be obſerved about Government, becauſe it was inſtituted for no other reaſon but for the publick Good.

Oaths do not alter the nature of allegiance, or make it due where it was not before, or any ways extend it, but only add a new tye to pay that allegiance which is due upon the account of protection; he that lives under a Government, though he has not Sworn to it, owes it the ſame allegiance as he that has; and if he ſhould deny his allegiance to it, would be equally guilty of Treaſon, though not of Perjury. It is evident by the univerſal practice of Mankind, that no Subjects ever thought themſelves obliged by their Oaths of Fidelity, which Governments have conſtantly impoſed on them, when they ceaſed to be protected by them. The Legiſlative power, eſpecially where the people have a ſhare in it, are preſumed to recede as little as poſſible from natural equity, and to deſign by impoſing ſuch Oaths, the good and preſervation of the Society; whoſe intereſt it is, that they that have the publick Adminiſtration of affairs ſhould not be diſturbed. But it is not at all material whether this or that man, provided they are well managed, has the direction of them: Nor can it without the greateſt abſurdity be ſuppoſed, that ſuch numbers of men as Societies are compoſed of, who are by nature equal, ſhould oblige themſelves by the moſt ſolemn Tyes to become moſt miſerable, by living without protection; nay, to loſe even their lives rather than own the Government that can protect them, for no other reaſon, but barely an extraordinary fondneſs to one of their Number, to give him, not the Neceſſaries or real Conveniences of Life, but only an Office (for Government is no other); which is but an imaginary happineſs; for if Government were a real happineſs to the Perſons that poſſeſs it, ſeveral upon their parting with it would not have found themſelves happier then before. That people ſhould be true to thoſe that have the adminiſtration of Civil affairs, is all that Oaths of Fidelity require: and it is evident by the words of it, that the late Oath of Allegiance required no more, and to extend it further then the King in Poſſeſſion, is not reconcileable with the reaſon, end, and deſign of paying obedience; which is the peace and happineſs of the Society, which can never be maintained if people may, for the ſake of a ſingle perſon,

perſon, diſturb him that has the Adminiſtration of their common affairs; and it would require impoſſibilities, becauſe a private perſon is incapable of paying allegiance to a King when out of poſſeſſion of the Government.

CHAP. XII.

Of the Act of Parliament of the 11 *of* Hen. 7.

BEſides no Act of Parliament ought to be ſo interpreted, as by bare implication to deſtroy a former Act, as ſuch an interpretation would the Eleventh of *Hen.* 7. Chap. 1. a Law ſtill in force, which does declare, *It is againſt all Law, Reaſon, and Conſcience, that Subjects,* &c. *any thing ſhould loſe or forfeit for doing their Duty and Service of Allegiance. Be it Enacted,* &c. *That no perſon that attends upon the King and Sovereign Lord for the time being, and does him true and faithful Service of Allegiance,* &c. *ſhall not anywiſe be moleſted.* What can be plainer then that it is the duty of every Subject to bear true faith and allegiance to the King in being? And to encourage them in their duty, the Laws does ſecure them from any manner of Moleſtation for the time to come, and declares it againſt all Law, Reaſon, and Conſcience that any ſhould ſuffer upon that account.

The people would be in a moſt miſerable condition, ſhould they be in danger of being Hang'd for not obeying the King in being, or for obeying him, to be puniſhed by the ſucceeding Kings as Traitors.

The endleſs quarrels, almoſt to the utter Ruin of the Nation, between the Houſes of *York* and *Lancaſter*, made the neceſſity of ſuch a Law very evident: Tho this then was no new Law but only declarative of the ancient Law (for they ſuppoſed it before to be againſt all Law, as well as Reaſon and Conſcience, that, *&c.*) By which Law it is plain, that a King in poſſeſſion has the ſame Right to the Peoples allegiance, as any King whatever; becauſe no King has any other then a Legal Right to the peoples obedience, which this Law declareth is the Right of all that are in poſſeſſion of the Government. And accordingly it has been the opinion of the Lawyers,

Lawyers, that Treaſon cannot be committed but againſt a King in poſſeſſion, and there can be no Treaſon committed but againſt him to whom allegiance is due; and Acts of Parliament made in the Reigns of ſuch Kings (though not confirmed by ſucceeding Kings) are valid, and oblige the Subjects, as much as thoſe made by ſuch as are uſually call'd Legal Kings.

But it may be Objected, *That if they who were inſtrumental in a Rebellion, may not endeavour to reſtore their Legal Prince, they put themſelves out of a poſſibility of making reſtitution.*

Anſw. Thoſe that unjuſtly deprive a King of his Crown, ought no doubt to Reſtore him; but if another has got poſſeſſion of the Government, by what has been ſaid, I think it is plain they ought to obey him. There can be no diſpute, but they that were no way inſtrumental in the Revolution, but did their Duty in Defending him in the poſſeſſion of his Crown, were free from any obligation as to him, when he had loſt the power of protecting them; and were bound for the ſake of their own preſervation to pay allegiance to him from whom they received protection, and obliged to defend him to the utmoſt; but if the reſt of the Society who receive protection from him are obliged to oppoſe him, then the Society muſt be divided, and of neceſſity run into Civil Wars, which is againſt the nature of Civil Societies, and inconſiſtent with the duty of ſelf-preſervation, which obligeth men not to expoſe their lives but to obtain a greater good than their lives, which can only be the publick Good, not the ſingle Intereſt of any one perſon.

They that were inſtrumental in raiſing a Rebellion, were no doubt guilty of a very enormous crime, but that which made it ſo, was not barely the injury they committed againſt the Prince (to whom, if alone conſidered, the breach of a promiſe in refuſing to pay obedience to him, could be no greater crime than a breach of a promiſe to another perſon) but the fatal miſchief & irreparable damage they did the Commonwealth: And a new Commotion, in all probability, would be more deſtructive; and a Nation by being ſo much weakned by the former, would be leſs able to bear a new War. It is a greater ſin, if the perſons themſelves are only conſidered, to take away the life, of one man, than to deprive another of any worldly advantage; it is only the publick that makes it otherwiſe, but the publick in both caſes is equally concerned, and the conſequences may be as fatal in diſturbing the Uſurper's Government, as that of a Legal Prince. That which makes the

Crime of Rebellion of ſo deep a dye, is, becauſe Rebels put it out of their power to make reparation for all the miſery and deſtruction a Civil War creates; nor is endeavouring to bring the ſame Calamities upon a Nation, a proper way to make them amends. If there be no other way to make reparation to their injured King, but by engaging the Nation in Civil Wars, they ought not to attempt making him reparation by ſuch unlawful ways.

The not reſtoring a Perſon to the Crown that he is unjuſtly deprived of, can only be conſidered, when the publick is no longer concerned in his Actions, and the Affairs of the Nation are managed by other hands, as an injury to a ſingle perſon, and the greatneſs of the injury, is to be judged not by the value of the thing it ſelf, but what he that is unjuſtly deprived of it, ſuffers by the loſs of it. What is abſolutely neceſſary for the ſubſiſtence of one perſon may be but ſuperfluities to another; and as the Widows Mites were greater Charity than what the Rich out of their Abundance gave; ſo the Robbing her of them, becauſe ſhe could leſs ſpare them, would have been a greater injury, and conſequently a greater ſin, than Robbing a Rich man, that could better ſpare it, of a thouſand times as much.

Tyrants, it is trne, rob great numbers of the conveniences, and very often of the neceſſaries of Life; but Uſurpers only hinder ſingle perſons from enjoying, not the neceſſaries or conveniences of Life, but Superfluities, becauſe all the neceſſaries, and even conveniences of life, can be had without a Crown. Yet the Uſurpers, without all diſpute, if they can without any injury to the publick, ought to reſtore the Government to thoſe from whom they do unjuſtly wreſt it; but if they do not, Subjects for the ſake of Government, to which Sacred Ordinance, Obedienc by God himſelf, as well as man is annexed, ought to ſubmit. Chriſt and his Apoſtles make no diſtinction, but command Obedience to all in poſſeſſion, by annexing God's Authority to the Office of Governing.

CHAP.

CHAP. XIII.

Of Proofs of Scripture concerning Obedience to thoſe that actually Adminiſter Government.

CHRIST in the Directions he gave, *Mat.* 23. to his Diſciples, and to the multitude about their Behaviour to the *Scribes* and *Phariſees*, requires Obedience to be paid them only upon the account of Poſſeſſion; ſaying, *The Scribes and Phariſees ſit in Moſes's ſeat, all therefore whatſoever they bid you obſerve, that obſerve and do:* and gives no other reaſon for this great Obedience in doing and obſerving whatever they command, but becauſe they ſat in *Moſes*'s ſeat; that is, were poſſeſſed of *Moſes*'s Authority, who in the *Theocracy* was the Chief Magiſtrate. Not that the *Scribes* and *Phariſees* had ſo great a power as *Moſes*, but as far as they did enjoy his Seat, Throne, and Authority, ſo far they were to be Obeyed: They were then the greateſt, as well as chiefeſt part of the grand *Sanhedrin*, which in all cauſes where the *Romans* had left the *Jews* to their Liberty, had the Supreme Power both in Civil and Eccleſiaſtical matters. (There were not in the *Jewiſh* Republick two diſtinct independant Powers, one for Civil, another for Eccleſiaſtical Cauſes). If the people were then obliged to pay ſo great Obedience, barely upon the account of Poſſeſſion, why may not the ſame direction ſerve for a ſtanding rule to the multitude in all times? And not only to the Inferiors, but even to the Supreme Magiſtrate himſelf *Chriſt* requires Obedience upon no other account but that of poſſeſſion. If *Cæſar* be in poſſeſſion of the Empire, as it did appear by his Coining of Money and Stamping his Image upon it, that being a mark of Sovereignty and Empire, but not of any Legal Title to it; then *Cæſar* is to have Tribute and all other parts of Allegiance paid him.

And St. *Paul* in expreſs terms requires Obedience to *the powers that be*, and declares there is no Power but what is from God. The *Jews* being influenced by the Prieſts and *Phariſees*, who becauſe they were obliged by their Law to place no Stranger over them, ſcrupled to pay obedience to the *Roman* Emperors, becauſe they were Strangers and not capable of a Legal Right, not conſidering the Law did not oblige them but when it was in their

own choice, and not when they were under the power of the *Romans*, to whom for the ſake of protection they were obliged to pay obedience; St. *Paul*, to take away theſe ſcruples, aſſures them all Powers are from God. If St. *Paul* had only meant Legal Powers, ſince none but *Jews* were capable of being ſuch, he had confirmed the *Jews* in their Error. But the reaſon why St. *Paul* obliges men to ſubmit, will demonſtrate that all *actual Rulers* are meant and none but they, becauſe they alone are a Terror to evil works, and a Praiſe to the good, none but the *actual Ruler is a Miniſter of God, a Revenger to execute wrath upon him that does evil, or a Miniſter of God for good.* What can more fully demonſtrate that the reaſon of obedience is for the benefits men receive by Government? And what makes the Crime of Reſiſting them ſo great, is, becauſe men Oppoſe thoſe by whom they receive ſo many advantages? It is becauſe they have the power of the Sword (which includeth all manner of Puniſhment) by which they ſecure and protect their Subjects from all manner of injury and violence of ill men; and being Miniſters of God for good, includeth all the good they receive both to their Perſons and Properties; *for which cauſe you pay tribute alſo, for they are God's miniſters continually attending upon this very thing.* It is their diſpenſing theſe advantages to Mankind, that makes them God's Miniſters and God's Ordinance (the Scripture affirming thoſe things that are neceſſary for the good of Mankind to come from God, as plowing and ſowing, *Iſaiah* 28. from Verſe the 23*d.* to the 29*th.*) If it once be known (as the diſcovery cannot be difficult) who it is that beareth the Sword, who adminiſters Juſtice, who Rewards, and who Puniſheth; if the Apoſtle's word is to be taken, ſubjection is not only due to him for Wrath, but for Conſcience-ſake: and the ſame Apoſtle exhorts, That *prayers be made for Kings, and all in Authority, that we may lead a quiet and peaceable life in all godlineſs and honeſty.* Theſe reaſons can only concern thoſe that have *actual* Power and Authority, by whoſe protection thoſe that live under them may lead ſuch lives; and if it be our duty to pray that we may lead ſuch Lives, it muſt be our duty to enable them that have Authority over us, to ſecure us in the enjoyment of a quiet and peaceable Life. Do the Principles or Practices of the *Jacobites* ſuit with this Doctrine? who inſtead of Praying for thoſe in Authority, make it their buſineſs by oppoſing them, to deſtroy not only our Quiet and Peace, and even all Godlineſs and Honeſty too,

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by endeavouring to ſet up again a Popiſh Governor, and by conſequence, to introduce a Religion, whoſe Principles are deſtructive of true Godlineſs and Honeſty, as well as the Peace and Quiet of the Profeſſors of them. And St. *Peter* for the ſame reaſon requires people to ſubmit to the Supream Magiſtrate, whom he calls the Ordinance of Man; ſo that it is plain, that God by approving this Human Ordinance, approves it as Human, and requires obedience to it for the ſame Reaſons that men at firſt inſtituted it. And it is the power Governors have to do Good that makes them to be not only God's Ordinance, and God's Miniſters, but even *Gods*; for ſince they are not Gods by nature, (tho by ſome peoples arguing one would ſuppoſe they thought them ſuch, or at leaſt Beings in themſelves ſuperior to the reſt of Mankind) it muſt be for the protection they afford, that they are termed ſo; who when they do no longer protect the people, ceaſe to be a *Human* Ordinance, and then too they ceaſe to be a *Divine* one: And the ſame Reaſons that obliges people to ſubmit to them, when they act for the good of the Society, does as much oblige people to oppoſe them, if they deſign to ruin and deſtroy them. It cannot well be ſuppoſed, that God who has obliged Mankind to preſerve their lives, and conſequently to uſe the means that are neceſſary for that end, ſhould require People to ſuffer themſelves to be deſtroyed, to gratify the Luſt, or Barbarity of a ſingle Perſon, or a few; who are by Nature but their Equals, and only above them by being in an Office which they erected only for their Convenience.

Obj. *St.* Paul *makes no manner of exception, but declareth*, Whoſoever reſiſts ſhall receive damnation.

Anſ. The Apoſtle requireth obedience to Parents in all things; ſo he requireth obedience to Maſters, Husbands, Paſtors, without mentioning any Exceptions; ſo here the Apoſtle (which was ſufficient for his purpoſe) declareth all people ought to obey the Supream Powers, without mentioning this exception, which from the nature, end, and deſign of Government, and even from thoſe Reaſons which he gives for Obedience, does neceſſarily flow.

It cannot be preſumed that Chriſt gave Authority to his Apoſtles to make Slaves of Mankind, by giving the Emperors a new Power, who before by no Law of God or Nature had ſuch a power over peoples lives. All the Power the *Roman* Government had, was immediatly from the people; who, as it is plain in Hiſtory, by their mutual Conſent erected that Commonwealth; and what power the Emperors had, was given them too by the people, who by the *Lex Regia* conferred it upon them.

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All that can be deduced from Scripture, is, That obedience is due to thoſe that protect the people; and nothing can be plainer than thoſe Texts which require it: By which plain and ignorant people may know their duty, as well as the learned and wiſe. It would have been inconſiſtent with the Goodneſs of God to have required obedience on the greateſt penalties, and yet leave it ſo uncertain, as the *Jacobitiſh* Principles would render it, to whom obedience is to be paid. What can be more uncertain than generally Titles are? And are there not innumerable intricate difficulties, about long Poſſeſſion, preſumed Conſent, a juſt cauſe for a total Conqueſt, *&c.* If about theſe Points the Learned do ſo extreamly differ, as any one may perceive, that gives himſelf the trouble to examine what Authors have writ upon it, who give good Reaſons for deſtroying one another's Hypotheſis, but none for confirming their own, but what are liable to equal Exceptions; what means or poſſibility have almoſt all Mankind, the unlearned and common people, of knowing their duty?

But it may be objected, *Though the common people ſhould be miſtaken, invincible Ignorance will excuſe them.*

Anſ. Not to diſpute how far ſuch Ignorance will excuſe them; I am ſure it is inconſiſtent with the Infinite Wiſdom of God, to give ſuch Rules, as almoſt all Mankind are utterly uncapable of underſtanding, or guiding their Actions by. But whoever conſidereth theſe Texts of Scripture, will ſee the falſeneſs of ſuch impious Reflections, and muſt admire the Goodneſs of God in laying down Rules ſo plain, that a well-meaning man cannot miſtake them: But if men will be wiſer than God himſelf, and not be content with thoſe Laws he preſcribes them, but will invent new Rules, and new ways; or by following the Tradition of the *Jewiſh* Prieſts, will diſturb the peace and quiet of Human Societies, by oppoſing the Powers that be: If by ſo doing they incur the ſevereſt Puniſhments here, as well as Eternal Torments hereafter, with thoſe damned ill-natured Spirits, the grand Enemies of Mankind, who at firſt poſſeſſed men with theſe Maxims ſo pernicious to Human Societies, they muſt thank themſelves, and their too great Subtilty.

The Primitive Chriſtians all along complied with the Revolution of the Empire, and whoever was in poſſeſſion of it, without examing his Title, paid him allegiance, and thought him inveſted with God's Authority: And as the *Goths* and *Vandals*, and other barbarous Nations on one hand, and the *Saracens*, *Turks* and *Perſians* on the other, without any juſt cauſe overturn'd the *Roman* Empire; the

Chriſtians

Chriſtians were ſo far from diſputing their Titles, or refuſing to transfer their Allegiance to them, that they never ſcrupled to own their Government. If theſe Phariſaical Notions had then been believed, or practiſed, thoſe Nations would have extirpated all the Profeſſors of Chriſtianity as Enemies to Government and Order, inſtead of being converted to their Religion, as moſt of the Northern Nations were. Nor do the Chriſtians, that now live under the Dominions of the Infidels, vary from this Primitive Practice, or ſcruple to transfer their Allegiance to any that gets poſſeſſion of the Sacred Office of Governing, tho the Legal Prince be ſtill alive. Did not the *Jews*, though they were commanded by a Divine Law to take a King from amongſt their Brethren, and God himſelf had intailed the Crown on the Poſterity of *David*, practice the ſame, as they fell under the power of the four great Empires? And did they not ſubmit to *Alexander* without endeavouring to oppoſe him, when *Darius*, to whom they had ſworn obedience, could no longer protect them?

I ſhall add but one Inſtance more, and that ſhall be of *David*, who thought it not unlawful, when *Saul* deſigned to take away his life, to transfer his Allegiance, and fly to *Achiſh* King of *Gath* for protection, who made him Keeper of his Head, or Captain of his Guard; and whilſt he was under his protection, he thought it his duty to pay all manner of Allegiance to him; and (tho contrary to his Intereſt, and the hopes he had of being King after *Saul*'s death) even to join with the Uncircumciſed to invade his own Countrey, and to fight againſt the Lord's Anointed, his late King and Father-in-law; and as appeareth by the 1 *Sam.* 29. 8. was much grieved, and humbly expoſtulateth with the King for not permitting him to attend him in the Battel; *But what have I done? or what haſt thou found in thy ſervant, ſo long as I have been with thee until this day, that I may not go and fight againſt the enemies of my Lord the King?* *Saul* by deſigning to deſtroy *David*, had freed him from the Allegiance he owed him; for he that deſigns to deſtroy a perſon, cannot have a mind to govern that perſon he deſigns to deſtroy; and if he will not govern him, he is free from his Government, and at liberty to pay his Allegiance where he thinks beſt. And if *David* expected from the King of *Gath* an univerſal protection from all his Enemies, he ought to pay the King an univerſal obedience.

If a private perſon be free from the Government that deſigns to deſtroy him, the Argument will hold as ſtrongly in behalf of a Nation that is deſigned to be deſtroyed; and whoever attempts it, does

does not only renounce the Government of the Nation, but puts himself in a state of War, and declares himself an utter Enemy to them, who are as much obliged to resist him, as they are any other Enemy.

Upon this Head the *Jews*, in the time of the *Maccabees*, took up Arms against their Legal King *Antiochus*, (whom they all along acknowledged as such, and who was Successor to *Alexander*, who had the same right to their obedience as the *Persians* or *Assyrians* had,) who was resolved to extirpate them if they would not turn Idolaters. And it is manifest, that God by the miraculous assistance he gave them (for what they did, must be imputed to more than Human Force) did approve of their design. And the same Reasons will justify any Nation for opposing that Prince, that does endeavour upon a religious, or any other acount to destroy them.

By what hath been said, I hope it is plain, that by the positive Law of God, by the Law of right Reason, by the Law of all Nations, and the universal practice of Mankind, and the express Law of the Land, obedience is due to the King who does actually govern the people; and therefore to the present King and Queen, though they did not enjoy the Crown (vacant by the late King's Abdication) by any Legal Right; which Right I think has been sufficiently demonstrated by those that have writ on that Subject, at least to Lawyers, and men that are competent Judges in such Points, of which a great many are no more competent Judges, than they are of Mathematical Demonstrations, which are nevertheless Demonstrations; but none can be mistaken who they are that do actually govern the Nation; and if obedience for that reason be due to them, other inquiries are needless.

Therefore I shall only add, That nothing could be more Just, more Glorious, more Meritorious, than the Prince's coming over to rescue three Nations from Slavery and Ruin, by obliging the Late King (which by all possible Ties he was bound to) to govern according to Law: To which he was so averse, that he was resolved not to govern at all, if he could not govern Arbitrarily; which when he plainly saw he could not effect, he threw up the Government: Which, whatever Force may be pretended, must be esteemed a voluntary Action, because he might have prevented it by governing according to Law; according to that known Axiom, *Involuntarium ex voluntario ortum habens moraliter pro voluntario habetur.*

The Throne being actually vacant by his deserting it; What Reason

Reaſon could hinder the Prince from accepting what was his Right, when offered him by the Convention of the States of the Kingdom? Who, (when the Throne is *actually vacant*, and it is not clear whoſe Right it is) are, and have always been, the ſole proper Judges to determine to whom it belongs; whoſe Judgments muſt give a Legal Right, becauſe all Legal Rights are held by no other Tenure, than the Decree of the Supream Judges.

But ſuppoſing the King had no Legal Right, and that the Convention were not Legal Judges; yet if they were choſen by the Nation, to determin, upon the late King's leaving it, what was neceſſary to be done for the preſervation of the Nation, it being neceſſary that ſomewhat ſhould be reſolved on; that neceſſity would give them a ſufficient Right to do whatever they found neceſſary for the preſervation of the Nation: Becauſe no Nation can be brought to that condition, but it muſt have a Right to act for its own ſafety; which it cannot do, if it have not a Right to appoint Judges to determine what is to be done, and oblige particular perſons to ſtand to their Determinations.

And the Convention ought, if they thought it (of which they were appointed the Judges) for the ſafety of the Nation, wholly to exclude the Late King. And why might they not, if they thought the Nation could not be ſafe if he ſhould return, be wholly againſt his return, as well as the *Jacobites* themſelves (for there were none of another Opinion then) be againſt his return, but upon ſuch Terms, and Conditions, as they thought neceſſary for the ſafety of the Nation? And the ſame neceſſity that will juſtify the Late Archbiſhop for conſenting to put the Soveraign Adminiſtration of Affairs into the Prince's hands, will juſtify the Convention for continuing it in the hands of the King, who alone could ſecure the Nation; and who had ſaved them before he ruled them, and to whom it was owing that they could call any thing (even their Lives) their own. Which, if it be not the beſt Title to a Crown, yet at leaſt is the beſt Title to Peoples Hearts and Affections, when he is poſſeſt of it; eſpecially when the chief advantage he gains by it, is but to expoſe his Sacred Perſon for the Security of the Nation: And the enlarging his Empire has only encreaſed his Cares and Concerns for the Safety of thoſe he governs: And all the ſatisfaction he reaps (which to a God-like Mind is the greateſt) is the power to oblige, and to do good. The Nation is happy in having a King whom they can truſt; not only becauſe his Intereſt is the ſame with theirs, but becauſe, as

all the Actions of his Life have demonstrated, no Consideration of his own could ever divert him from acting what was best for the Cause he was engaged in; and who is as famous for being true and just to his Word, as his Enemies are infamous for breaking their most Sacred Oaths, and Solemn Leagues. In a word, He is a Prince that has the Vertue, the Fidelity, the Integrity of *Cato*, as well as the Bravery, the Courage, and Conduct of *Cæsar*. Never did the happiness of the best part of Mankind depend more upon a single Life, than now. Nations of Religions, and all things else, different, do unanimously agree in acknowledging him to be their chief Support, the Head, the Heart, the Hand of the Confederacy; and to him they confess that it is owing, that the Chains that have been ready to fetter *Europe*, have been more than once broken. To be the Preserver of *Europe*, is a much more glorious Title, than to be the *Conqueror* of it: To which may be added, the most excellent of all Titles, *The Defender of the Faith*; which (tho others have claimed of course) he best deserves; since to him it is owing that the true Faith is publickly professed any-where, and in these Nations (which is a Blessing cannot be bought too dear) without Cruelty or Persecution; *For a Nation is constantly in a state of war within it self, where one Party is persecuting and ruining another, about things which are in themselves indifferent, and no ways tend to promote the Publick Good.* In short, There can be no advantage, but what the Nation may justly expect from a King so zealous to promote their Good, and so able to perform what he undertakes.

CHAP. XIV.

Some Considerations touching the Present Affairs.

BUT it may be objected, *How can the Nation propose any happiness to themselves by this Revolution, since by it they are at so great Expences to maintain a war against so powerful an Enemy?*

Answ. The more powerful the Enemy is, the greater was the necessity of this Revolution; for if now the Confederates are scarce an equal match for *France*, how easily would they have been over-run, if *England* (which is the most favourable that could have

have been expected) had ſtood Neuter? And when they had been ſubdued, what could have hindred the *French* King, being then ſo Potent both by Sea and Land, from Conquering this Iſland? What oppoſition could the Militia, joyned with a few raw and unexperienced Troops, (for it is this War has made them otherwiſe) tho headed by a Commander of ſo invincible Courage as the Late King, make againſt his regular and numerous Troops? But ſuppoſe the *French* King, who is ſo famous for keeping his Royal word, would not have Conquered *England* when he might; what could have hindred the Late King, aſſiſted by *France*, from uſing this Nation as his Cruelty, Covetouſneſs, Bigotry, or *Jeſuits*, could have inſpired him? The *French* King, had he been defective in ſo fundamental a point of Religion, would have obliged him, as he did the Duke of *Savoy*, to have Extirpated all the Hereticks. *England* would have been perhaps by this time a rendezvouz of *French* and *Iriſh* Apoſtolick Dragoons, or, what is worſe, a neſt of Prieſts and Jeſuits. And what milder uſage can the Nation expect, if the Late King, who is under ſuch obligation to *France*, and incenſed by (as he thinks) ill Treatment, ſhould return? Ought not they, except they are ambitious of being Roaſted by a *Smithfield* Fire, or are in love with the manly exercile of Rowing in the Gallies, to do their utmoſt endeavour to ſtop the farther Progreſs of *France*? which only prevails becauſe their Armies are more numerous? If there were more Forces raiſed (the Nation is ſo far from wanting men, that it can ſpare about Thirty thouſand by eaſing the Pariſhes of thoſe Idle People who are burthenſom to them) ſufficient to equal thoſe of the *French*; there is no reaſon to doubt but the *Engliſh* would beat them, as they have always done, when the Numbers have been any thing near equal, and force them to quit other places as ſhamefully as they did *Ireland*.

The misfortune is not, that we have now a War with *France*, but that it was ſo long delayed; and whatever the Nation now ſuffers, they wholly owe it to the Two Late Kings, who inſtead of hindring, when they might, the growing greatneſs of *France*, did under-hand aſſiſt and contribute, as far as they durſt, to increaſe the exorbitant Power of that Kingdom. Though the Charges of the War, it is true, are burthenſome, yet they are common to almoſt all *Europe*; nor are they ſo great as ſome people repreſent them, ſince it does cauſe little or no alteration in Peoples way of Living; the ſame exceſs in Apparel, and every thing elſe,

and

and the Intereſt of Money being as low as ever, (at leaſt it would be ſo, did not the King's taking up ſuch large Sums at ſo great an Intereſt, raiſe the Intereſt of Money even amongſt others) are a demonſtration of its plenty: And the Native Commodities of the Countrey bearing a much better Price than formerly, chiefly by reaſon ſo much is taken up for the King's uſe upon account of the Army or Fleet, muſt more than repay the Countrey for what it contributes to the War. The Taxes themſelves are not ſo much a burden, as the unequal way of raiſing them, and obliging people to pay ſo much Money at one time; which cannot well be prevented but by an Exciſe, which would make them ſo eaſy, and ſo equal, that they would hardly be felt. But if they were more burthenſome then they are, then paying of them for ſome time is abſolutely neceſſary to preſerve their All for ever.

In the Primitive times, the Chriſtians (eſpecially the Clergy) would not only diſpoſe of their own, but even what was Dedicated to Pious Uſes, and ſell the Plate that belonged to the Altar, to redeem a Soul from Slavery: Why ſhould they not be now as Zealous to ſecure Millions of Souls, Three Nations, and their Poſterity, from a Bondage both Spiritual and Temporal worſe than *Egyptian*; or at leaſt encourage people by their precept and example freely to contribute to a War upon which depends the ſafety of the Church as well as State; a War ſo holy, that if the Cauſe alone could make them Martyrs, all that dye in it are ſuch.

But to conclude, I hope, I have demonſtrated, That it is the duty of all People to bear true Faith and Allegiance to the preſent Government, by Reaſons and Arguments which are as firm as Government it ſelf, and which will endure as long as it, becauſe built upon the ſame foundation, *The Good of Societies*; and which may ſerve for directions in all Changes and Revolutions, as well as for the juſtification of that happy one, which (by the Bleſſing of God upon His Majeſties Heroick Endeavours) preſerves us in the enjoyment of all our Happineſs both Spiritual and Temporal.

FINIS.